

NOMINATIONS.

Executive nominations received by the Senate May 18, 1914.

ASSISTANT SECRETARY OF THE INTERIOR.

Bo Sweeney, of Washington, to be Assistant Secretary of the Interior, vice Lewis C. Laylin, resigned.

APPOINTMENT IN THE ARMY.

Joseph L. Donovan, late captain, Twenty-second Infantry, to be captain of Infantry with rank from May 15, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 18, 1914.

ASSISTANT ATTORNEY GENERAL.

Charles Warren to be Assistant Attorney General.

UNITED STATES MARSHAL.

Henry A. Skeggs to be United States marshal, northern district of Alabama.

COLLECTOR OF INTERNAL REVENUE.

Charles V. Duffy to be collector of internal revenue for the fifth district of New Jersey.

PROMOTION IN THE ARMY.

QUARTERMASTER CORPS.

Maj. B. Frank Cheatham to be lieutenant colonel.

POSTMASTERS.

COLORADO.

M. A. McGrath, Eaton.
Herbert R. Sabine, Alamosa.
Robert W. Tandy, Del Norte.

CONNECTICUT.

Daniel J. Driscoll, Cheshire.

FLORIDA.

Joseph F. De Sha, Waldo.

GEORGIA.

Susie M. Atkinson, Newnan.
Nellie B. Brimberry, Albany.
John L. Callaway, Covington.

ILLINOIS.

F. O. Lovins, East Moline.

IOWA.

Charles H. Bloom, Delmar.
S. H. Brainard, Wyoming.

KANSAS.

Lulu M. Crans, Formosa.
Siegfried Kuraner, Fort Leavenworth.
Glenn Smith, Horton.
Theodore D. Webster, Bronson.

LOUISIANA.

Henry W. Blanks, Columbia.

MINNESOTA.

Thomas H. Bunn, Pine Island.
Christian Hunsinger, Wadena.

MISSISSIPPI.

John L. Kirby, Water Valley.

MISSOURI.

William M. Bayliss, Clarence.
Francis L. Stuffleham, Bolivar.
John T. Summers, Lathrop.

NEBRASKA.

Elbert M. Vaught, Genoa.

NEW JERSEY.

James J. Cowley, Passaic.
Patrick J. Devlin, Matawan.
George F. Moore, Oradell.
Alice E. Shaw, Delanco.
John J. Roche, Palisades Park.

NEW YORK.

James M. Dwyer, Genesee.
Arthur E. Hammond, East Aurora.
Thomas H. Kavanagh, Livonia.
Lawrence M. Kenney, Saugerties.
Mark J. Lockington, Lima.
George H. Martens, Fort Totten.
Charles T. Sammis, Northport.
Phillip J. Smith, Webster.

Bruce M. Sweet, Fillmore.
Stephen Van Tassel, Mount Vernon.
William J. White, Livingston Manor.

OHIO.

Harvey N. Steger, Cardington.

TEXAS.

M. B. Brown, Burnet.
Bessie Cannon, Florence.
William Clark, Jefferson.
W. H. Brown, Navasota.
W. H. Miller, Seymour.
Chester A. Purcell, Burkburnett.
G. B. Sanders, Jewett.
H. C. Williams, Merkel.

VIRGINIA.

J. D. Askew, Pulaski.
John H. Massie, Edinburg.
Frank H. Rinehart, Covington.

WEST VIRGINIA.

H. H. Berry, Burnsville.
W. B. Stewart, Chester.

HOUSE OF REPRESENTATIVES.

MONDAY, May 18, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art from everlasting to everlasting our God, out of whose heart Thou didst give us being and through whose infinite care and loving-kindness Thou dost provide for our every want, temporal and spiritual, may it not be perfunctory, an empty form, which brings us to Thee in prayer as a part of the daily routine of the sessions of this House, but because our hearts longeth for Thee and the touch of Thy spirit that we may fulfill every duty devolving upon us in an earnest desire to serve Thee and build a divine individuality in our souls, passing on day by day to a higher intellectual, moral, and spiritual life. We ask this as seekers after truth. Amen.

The Journal of the proceedings of Saturday last was read and approved.

CONSTRUCTION OF REVENUE CUTTERS.

Mr. ADAMSON. Mr. Speaker, there is a bill on the Speaker's table, S. 4377, in which the Senate has concurred in the House amendment with an amendment. I ask that it be taken from the table, that we disagree to the Senate amendment to the House amendment, and ask for a conference.

Mr. MADDEN. Is that the bill with reference to the construction of revenue cutters?

Mr. ADAMSON. It is.

Mr. MADDEN. A bill with an amendment providing for two revenue cutters instead of four?

Mr. ADAMSON. The Senate agreed to the House amendment by putting back practically the same two ships.

Mr. MADDEN. Would it not be a good idea to have the House vote on the question whether we will have two or four?

Mr. ADAMSON. I should prefer that it go to conference as it is.

Mr. MADDEN. Would the gentleman agree to bring it back without an agreement if the Senate insisted upon four revenue cutters?

Mr. ADAMSON. I do not want to make any promises before going into conference. After we get into conference, I will talk with the gentleman about it.

Mr. MADDEN. I want the gentleman from Georgia to understand that I am opposed to the building of four revenue cutters, and the House so indicated when the bill was passed. We ought to have an opportunity to vote on the question whether we are to have four or two. If we have some kind of an understanding about that, I would not object to the bill being taken from the Speaker's table and sent to conference.

Mr. ADAMSON. I do not believe that the House ever had any reason to complain of the conferees from our committee.

Mr. MADDEN. I will not object.

The SPEAKER. Is there objection? The Chair hears none, and the Clerk will report the title to the bill.

The Clerk read as follows:

S. 4377. An act to provide for the construction of two revenue cutters.

The SPEAKER. The gentleman from Georgia asks unanimous consent to disagree to the Senate amendment to the House amendment and ask for a conference. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. ADAMSON, Mr. SIMS, and Mr. STEVENS of Minnesota.

GORDON W. NELSON.

Mr. PADGETT. Mr. Speaker, the bill S. 5552 is on the Speaker's table and a similar House bill reported from the Committee on Naval Affairs is on the House Calendar. I ask unanimous consent to take the Senate bill from the Speaker's table and pass it in lieu of the House bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take the bill S. 5552 from the Speaker's table and consider it in lieu of a similar House bill on the calendar. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 5552) to amend an act entitled "An act for the relief of Gordon W. Nelson, approved May 9, 1914."

Be it enacted, etc., That an act entitled "An act for the relief of Gordon W. Nelson," approved May 9, 1914, be amended so as to read as follows:

SECTION 1. That the President be, and he is hereby, authorized to commission, by and with the advice and consent of the Senate, Gordon W. Nelson an ensign in the United States Navy on the date of his graduation after the four years' course at the Naval Academy, to take rank as an ensign with the other members of his class according to their standing as determined by their final multiples for the four years' course at the Naval Academy: *Provided*, That unless the said Gordon W. Nelson becomes a citizen of the United States on or before July 1, 1915, he shall on said date cease to be an officer of the Navy."

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I would like to ask the gentleman from Tennessee to explain what this means.

Mr. PADGETT. On the 9th day of the present month the House passed a bill with the same provisions as this bill contains, except that the date was January 1, 1915. This extends it to July 1, 1915. The young man was born in England. He came here when a boy. He was appointed from New York to the Naval Academy and will graduate this summer. He stands high in his class and is an excellent young man. He can not be commissioned, because he has not been naturalized. He filed his declaration, and the two years' period expires on the 10th of December. When the bill was passed a few days ago it was overlooked that the law requires 90 days after the expiration of 2 years before he can be naturalized. This is simply to extend it to the 1st of July from the 1st of January, so as to allow 90 days.

Mr. MADDEN. It is merely a matter of giving him an opportunity after the requisite time has elapsed to be naturalized?

Mr. PADGETT. Yes.

Mr. MANN. Mr. Speaker, reserving the right to object, this bill is being passed for the education of the Committee on Immigration and Naturalization, so that that distinguished committee which made the naturalization law will know what it contains. [Laughter.] We passed a law only a few days ago in order to give this young man two years in which to obtain his final papers. The bill that was introduced was a bill to naturalize him, but the Committee on Naturalization, very properly, I think, instead of recommending a bill to naturalize him, recommended a bill authorizing him to be appointed in the Navy when graduated, with the proviso that he should be naturalized by the 1st of January next. The committee did not know that it required more than two years' time from the time of taking out the first papers for naturalization. Possibly it is worth while to take up the time of Congress in passing an amendatory act within two weeks of the passage of the original act in order that we may educate ourselves, and incidentally educate the Committee on Naturalization. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill, H. R. 16556, was laid on the table.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

MARINE SEA FOOD LIFE.

Mr. TOWNSEND. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting an interesting and important address on an economic subject by my colleague, Mr. LINTHICUM, of Maryland, delivered in my State.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the Record by printing a speech made by the gentleman from Maryland [Mr. LINTHICUM]. Is there objection?

There was no objection.

"CUNNINGHAM WILL MATTER."

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAMLIN. Mr. Speaker, on Saturday last, when the House had under consideration the Diplomatic and Consular appropriation bill, the question of some kind of a claim made by a man named Cunningham was injected into the proceedings. I made a statement that the Committee on Expenditures in the State Department had considered that matter, and that it had no jurisdiction, and consequently declined to consider it further. I also stated that that decision was based on an opinion rendered by the Solicitor for the State Department. The gentleman from Michigan [Mr. CRAMTON] asked that I put that opinion in the Record. I have it here. I may state, however, that in submitting the proposition as chairman of the committee I submitted it in an interrogatory form, numbering the different interrogatories, and in replying, instead of quoting each question, he referred to them by numbers, and therefore, in order to make it intelligible, I shall be compelled to print my letter to him with his reply. I shall incorporate those in my remarks, unless there is objection to it.

Mr. Speaker, I want to add one word further. My good friend from Washington [Mr. BRYAN], who is also a member of the Committee on Expenditures in the State Department, took part in the discussion to which I have referred, and while he did not make any direct criticism of our committee or of anybody else in particular, as far as that is concerned, yet there was running through his remarks a criticism of somebody, somewhere, because this matter had not been considered fully and an investigation had and some relief offered to this man Cunningham, whose brother died in Shanghai, China, leaving an estate, and a will which was probated, and which left all of the property to Cunningham's sister instead of to him. I did not recall all of the facts on Saturday when the matter came up, but, consulting the records of the committee, I find that that very matter was taken up by our committee, and on motion of a member of the committee there was a subcommittee appointed to look into the matter and report. The gentleman from Washington [Mr. BRYAN] was appointed a member of that subcommittee. That subcommittee filed a unanimous report in the following language:

Upon motion of Mr. BROWN the chairman was authorized to appoint a subcommittee of three to look into the "Cunningham will matter" and to report to the full committee their opinion as to whether it was a matter over which the committee has jurisdiction. Which motion being submitted, carried unanimously. Thereupon the chairman appointed on that committee Messrs. BROWN, BORCHERS, and BRYAN.

Subsequently, on July 29, 1913, that subcommittee reported to the full committee as follows:

The subcommittee heretofore appointed by the Committee on Expenditures in the State Department, and to which was referred the question of what is known as the "Cunningham matter," have considered the same, and in the light of the information received from the Solicitor of the State Department, letters referring thereto are attached hereto and made a part of this report, informing this committee that our consul in China had probate jurisdiction to settle estates of American citizens dying in that country, we do not believe that the Committee on Expenditures in the State Department has jurisdiction of the said "Cunningham matter," and therefore recommend that the same be laid aside. Believing that we did not have jurisdiction of said matter, your subcommittee did not go into the merits of said case. Whereupon the committee adjourned.

I put that in the Record to show that of all persons in the world my good friend from Washington [Mr. BRYAN] is the last man who ought to complain because our committee did not go further into the matter, because he reported that in his opinion we had no jurisdiction of it.

Mr. BRYAN. Mr. Speaker, will the gentleman yield?

Mr. HAMLIN. Certainly.

Mr. BRYAN. Is it not a fact that at the time, before the committee, I stated that, jurisdiction or no jurisdiction, the committee ought not to advance that technical idea and thereby prevent a hearing, but that we ought to go on and have a hearing and let that old man submit his testimony and make the matter public?

Mr. HAMLIN. Mr. Speaker, I have no recollection of anything like that. I had even forgotten the action of the committee. I will say to the gentleman, until I looked up the record. The record fails to show that the gentleman put any protest of any kind in the record.

Mr. BRYAN. The gentleman knows there was quite a little controversy, almost friction, over the matter, and then I insisted on something being done; and the gentleman also knows that I could not accomplish anything with the committee, feeling

that for want of jurisdiction, want of time, and all of those things, we better not waste any further time.

Mr. HAMLIN. Mr. Speaker, I do not know anything of the kind. I will say to the gentleman that I was not a member of the subcommittee at all. I do not know what occurred in the subcommittee. I am only speaking from the record; but I do know of the gentleman, according to the report of the subcommittee, which was unanimous, and I have no recollection—

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to proceed for two minutes more.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. BRYAN. Did not the gentleman prepare or have his clerk prepare that report, after a talk at a committee meeting and after a favorable conference, and did not the clerk of the committee prepare that report and put it on file?

Mr. HAMLIN. I do not recall who prepared the report, but I know it was read in the committee room and unanimously adopted.

Mr. BRYAN. The gentleman will do me the justice to admit that I have insisted on an investigation all the way through.

Mr. HAMLIN. I can not do that, because I do not recall that as being true. I do not say that it is not true, but I have no recollection of it.

Mr. BRYAN. Just one more question. In view of the criminal charges involved, does not the gentleman think they ought to be investigated?

Mr. HAMLIN. Mr. Speaker, I will say this in answer to the gentleman: I am really glad that he raised that question. I do not believe that it is the duty of our committee or any other committee of this House to take up for investigation everything that some fellow says to some member of the committee—some indefinite charges made in a general way against anybody and everybody. I think that before a committee of this House should take up any matters and investigate them, somebody of responsibility ought to make definite, specific charges and get behind those charges, and that has not been done in this case. We found, as the record will show, when you come to read the opinion of the Solicitor for the State Department, that we were absolutely without jurisdiction, that this whole proceeding was regular, and we could go no further. And whether there was a forged will there or not is a matter that certainly we could not investigate—

Mr. GARNER. If you did, you could not remedy it.

Mr. HAMLIN. Certainly not. We could not possibly settle that. I do not say this old man was treated fairly; I do not know; maybe he was not; but, as a matter of fact, it is beyond the jurisdiction of our committee, and we could not afford to take up our time and engage in a futile, puerile, unnecessary effort to investigate something over which we had no jurisdiction, and the gentleman from Washington conceded we had no jurisdiction in this matter.

The SPEAKER. The time of the gentleman has expired. The gentleman from Missouri asks unanimous consent to print as part of his remarks the letters to which he referred. Is there objection? [After a pause.] The Chair hears none.

The letters are as follows:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT,
Washington, D. C., July 23, 1913.

SOLICITOR STATE DEPARTMENT,
Washington, D. C.

DEAR SIR: For the information of this committee, in connection with a certain matter which they have under investigation, I respectfully request that you advise me as to the law as follows:

(1) Had the consul general of the United States at Shanghai, China, in 1905, acting judicially, jurisdiction and authority to admit to probate and record a will of a person of American birth, sojourning at Shanghai, and carrying on business in China and other parts of the Orient, and to make final distribution of his estate to the beneficiaries named in the will? If, so, upon what statute or treaty is such jurisdiction based?

(2) If the consul general had the jurisdiction referred to in the foregoing question, by what law would the validity and sufficiency of such will as to form, manner of execution, and witnesses be determined?

(3) If the consul general had jurisdiction in any case to admit a will to probate and to make final distribution of the estate of the testator, would such jurisdiction have reached to the case of a man of American birth with respect to whom the highest court of the State of his birth has decided that he has lost his domicile in such State and that his estate is not subject to administration in the courts thereof, he not having acquired domicile or established residence at any other place, except at Shanghai, China?

Thanking you in advance, I beg to remain,

Very respectfully,

C. W. HAMLIN,
Chairman of the Committee on Expenditures
in the State Department.

DEPARTMENT OF STATE,
Washington, July 24, 1913.

Hon. C. W. HAMLIN,

Chairman of the Committee on
Expenditures in the State Department, Washington, D. C.

DEAR SIR: I have the honor to acknowledge the receipt of your letter of July 23, and in response to the questions propounded therein to answer as follows:

(1) Yes. I inclose a copy of the decision of the United States court for China in the matter of the probate of the will of John Pratt Roberts, which fully quotes the provisions of the treaty and statutes on which such jurisdiction is based.

(2) The common law. See decision referred to above.

(3) Yes. I respectfully refer you to the decision of the Supreme Court of Maine, reported in Seventy-fourth Atlantic Reporter, 809; volume 3, American Journal of International Law, page 752, in which that court held that the decedent had a domicile in Shanghai (1) as a matter of fact and (2) as a matter of law. In this case the appellees had denied the right of the consular court at Shanghai to settle and distribute the estate of the decedent upon the ground that he had never acquired a domicile in Shanghai. The effect of the said decision of the Maine Supreme Court was to uphold the administration of the estate in the consular court at Shanghai.

In addition, I may observe that section 55 of the regulations in force in the consular courts of the United States in China, promulgated in pursuance of the laws of the United States (sec. 4117, Rev. Stats.), provides as follows:

"Until promulgation of further regulations, consuls will continue to exercise their former lawful jurisdiction and authority in * * * probate of wills, administration of estates, and other matters of equity, admiralty, ecclesiastical, and common law, not specially provided for in previous decrees, according to such reasonable rules, not repugnant to the Constitution, treaties, and laws of the United States, as they may find necessary or convenient to adopt."

Paragraph 416 of the United States Consular Regulations reads as follows:

"In China * * * and other non-Christian countries the property of decedents, both personal and real, is administered under the probate jurisdiction of the consular courts in those countries without interference in any respect by the local governments."

Very respectfully,

F. VAN DYNE,
Acting Solicitor.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. This is unanimous-consent day, and the Clerk will report the first bill.

AMENDMENT TO RIVER AND HARBOR ACT.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 14331) to amend section 19 of an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1900.

Mr. WATKINS. Mr. Speaker, after a conference with the chairman of the Committee on Rivers and Harbors, I ask unanimous consent that that bill be postponed until next unanimous-consent day.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that this bill be passed without prejudice.

Mr. MADDEN. Mr. Speaker, I am going to object to the bill. I think it has no place on the Unanimous Consent Calendar. It is a question that ought to be considered entirely by the Committee on Rivers and Harbors in every case that comes up. There ought not to be any permanent law directing the Committee on Rivers and Harbors as to what it ought to do when a question comes before it, and I object to the consideration of the bill.

Mr. WATKINS. Will the gentleman from Illinois be kind enough to reserve his right to object?

The SPEAKER. Does the gentleman from Illinois object to the postponing?

Mr. MADDEN. I object to that.

Mr. WATKINS. Will the gentleman be kind enough to defer—

The SPEAKER. The gentleman objects both to the bill and to the postponing.

Mr. MADDEN. I will reserve the right to object if the gentleman wants to say something.

Mr. WATKINS. I would like to make a statement. I wish to say that there is no intention whatever to usurp the prerogatives of the Committee on Rivers and Harbors, and as soon as I ascertained that the chairman of the Committee on Rivers and Harbors thought that the Rivers and Harbors Committee should have jurisdiction of the bill I at once asked that it be transferred from the calendar to the Rivers and Harbors Committee—that is, from the Committee on Revision of the Laws to the Committee on Rivers and Harbors—and objection was made and it could not be transferred over that objection. It was alleged that the Committee on Interstate and Foreign Commerce had jurisdiction and we left it on the calendar. It is simply pending now for the purpose of adjusting, if we can, the differences that may exist as to the question of jurisdiction, and there is not any purpose to force the matter until we get an understanding—

Mr. MADDEN. Oh, well, if that is the case, I have no objection to it going over without prejudice.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. SPARKMAN. Mr. Speaker, so far as I am concerned, I should object at any and all times to the consideration of this bill. I have no objection personally, however, to the gentleman's request that it go over without prejudice, but if at any time I am here when this bill comes up I shall object to it. I thought I ought to say that to the House and the gentleman.

Mr. GARNER. Will the gentleman yield? What is the object in carrying over a bill where a Member states positively under no condition can it be considered by unanimous consent?

Mr. SPARKMAN. I can not see myself—

Mr. MANN. Mr. Speaker, the only thing the bill does is to dispose of in a way logs and merchantable timber that are in navigable streams. That is a matter over which the Committee on Rivers and Harbors has no jurisdiction. It is a matter over which the Committee on the Revision of the Laws has no jurisdiction under the rules of the House. It is a matter of obstruction to navigation and belongs to the Committee on Interstate and Foreign Commerce. If we intend to keep this bill on the Unanimous Consent Calendar, I suggest to the gentleman from Louisiana, until they settle the question of jurisdiction it will be long after this Congress has expired, and I see no object in passing it over, so I object to passing it over.

Mr. WATKINS. I wish to say to the gentleman from Illinois, if he will permit, that I do not care whether it goes to the Committee on Interstate and Foreign Commerce or goes to the Committee on Rivers and Harbors, or whether it stays where it is now, so we can get consideration of the bill at this session of Congress. We have \$500,000 worth of logs and timber in a navigable stream that can not be utilized which can be put into cash and utilized if we can get this bill passed.

Mr. MANN. I have no objection to the passage of the bill.

Mr. GARNER. May I suggest to the gentleman from Louisiana that he introduce his bill over again and send it to the Committee on Interstate and Foreign Commerce, that has jurisdiction of it, and if they have jurisdiction let them report it and let it go on the Unanimous Consent Calendar and come up for consideration?

Mr. WATKINS. It may be transferred right now, as far as I am concerned, just so we take some action.

Mr. MOORE. Will the gentleman yield?

Mr. SPARKMAN. I shall object to it going to the Committee on Interstate and Foreign Commerce.

The SPEAKER. It is not going there now; the question is whether you are going to pass this bill over without prejudice. Is there objection?

Mr. MANN. I shall object, unless some one wishes—

The SPEAKER. The gentleman from Illinois objects.

Mr. MANN. The bill has not been disposed of yet, Mr. Speaker. I objected to its passing over.

The SPEAKER. Well, the gentleman from Illinois [Mr. MADDEN] objected to considering it, so there you are.

Mr. MANN. I am perfectly willing, if that is the way.

IMMIGRATION STATION AT BALTIMORE, MD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11625) to increase the appropriation for the erection of an immigration station at Baltimore, Md.

Mr. COADY. Mr. Speaker, I desire to move that this bill be passed without prejudice.

Mr. FOSTER. I reserve the right to object, Mr. Speaker.

The SPEAKER. It has not been reported yet. The Clerk will report the bill.

The bill was read in full.

The SPEAKER. Is there objection?

Mr. COADY. Mr. Speaker, I desire to renew my request to have this bill passed without prejudice.

The SPEAKER. Is there objection?

Mr. MADDEN. I think the time has come when this bill ought to be disposed of by enactment into law or ought to be taken off the Unanimous Consent Calendar. It never can be passed by unanimous consent, because I propose to object to it when it comes up for consideration as a unanimous-consent proposition. So I desire to object now to its going over without prejudice.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects, and that is the end of it. The Clerk will report the next bill.

CONSOLIDATION OF INDIAN FUNDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10835) to authorize the Secretary of the

Treasury to consolidate sundry funds from which unpaid Indian annuities or shares in the tribal trust funds are or may hereafter be due.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to transfer upon the books of the Treasury any unpaid and noninterest-bearing annuity or per capita share or shares of any Indian, whether derived from a gratuity appropriation or from the principal of or the interest on any tribal or trust fund of his tribe from the caption or fund under which the share or annuity accrued and became due and unpaid at any time prior to the passage of this act, or which may hereafter accrue and become due and unpaid, to a common fund to be known as "Indian moneys, unpaid per capita shares, non-interest," to the credit of the individual Indian entitled thereto, and thereafter such annuity or share shall be paid direct from said common fund without further appropriation therefor by Congress, the amounts so transferred, whether previously covered into the surplus fund or not, being hereby permanently appropriated for that purpose: *Provided,* That no such transfer shall be made except upon the certificate of the Commissioner of Indian Affairs, showing the shares due and unpaid and the names of the Indians entitled thereto, and upon settlement of the account by the Auditor for the Interior Department.

SEC. 2. That the unpaid shares which bear the same rate of interest, payable at the same intervals, of all Indians in the funds above described, may in the same manner as hereinbefore provided be consolidated under such title as may be prescribed by the Secretary of the Treasury, and thereafter payments shall be made from the common funds so created without further appropriation by Congress therefor, the amounts so transferred and the interest thereon being hereby permanently appropriated for that purpose.

SEC. 3. That the consolidation and transfers herein provided for shall not be construed to repeal that part of section 1 of the act approved June 21, 1906 (34 Stat. L., p. 327), making provision for the payment of interest on minors' shares retained in the Treasury.

SEC. 4. That any and all annuities or shares transferred in accordance with the provisions of the foregoing sections, together with any interest which may accrue thereon, shall be paid to the party entitled thereto by settlement of an account and the issuance of a warrant in his favor according to the practice in other cases of authorized and liquidated claims against the United States: *Provided,* That the determination by the Secretary of the Interior of the heirs of any deceased Indian, to whose credit any annuities or shares may have been transferred in accordance with this act, shall be deemed final.

Also the following committee amendment was read:

Amend the bill by striking out the period at the end of line 15, page 3, and adding the following: "except in cases where the estate of the deceased Indian is being legally probated and the probate court having jurisdiction is determining, or has determined, the legal heirs of such deceased Indian: *Provided further,* That if any person whose share is transferred to the common fund as herein provided is found subsequently not entitled to the same, such share shall revert to the tribe and shall be transferred to the tribal funds upon the recommendation of the Commissioner of Indian Affairs and certification by the Auditor for the Interior Department."

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Arizona [Mr. HAYDEN] asks unanimous consent that it be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDMENT TO INDIAN DEPREDACTIONS ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

The bill was read in full.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

POST-OFFICE BUILDING, NEWCASTLE, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11317) to increase the limit of cost of the United States post-office building at Newcastle, Ind.

The bill was read in full.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I should like to inquire of the gentleman in charge of this bill how large a village Newcastle, Ind., is?

Mr. FOSTER. Mr. Speaker, when the Unanimous Consent Calendar was last considered I asked that this bill might go

over on account of the absence of the gentleman from Indiana, Mr. GRAY, but he is not here at this time.

Mr. MONDELL. Has the gentleman from Illinois [Mr. FOSTER] any information in the matter so that he can answer my question?

Mr. FOSTER. I do not desire to go into a discussion of it in the absence of the gentleman from Indiana.

Mr. MANN. I suggest to the gentleman from Wyoming [Mr. MONDELL] that he read the report in order to secure the information.

Mr. MONDELL. I have read the report, and it contains no information whatever.

Mr. FOSTER. Will not the gentleman allow this bill to go over until the next time?

Mr. MONDELL. I should like information in regard to the bill.

Mr. FOSTER. We will try to have the information when the Unanimous Consent Calendar is again considered.

Mr. MANN. My colleague knows that when this bill was passed over before, the gentleman from Indiana [Mr. GRAY], whom we all regard so highly, was out attending to the matter of being renominated.

Mr. FOSTER. That is very important to him and the people of his district.

Mr. MANN. Now, he has been renominated, and I should think he would be making an effort to be reelected by being on hand here.

Mr. FOSTER. Mr. Speaker, I ask that this bill go over.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks that this bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

IOWA TRIBE OF INDIANS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13519) for the relief of the Iowa Indians of Oklahoma.

Mr. MURRAY of Oklahoma. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, what is the object in passing this bill over without prejudice? Why not get some of these bills out of the way?

Mr. MURRAY of Oklahoma. The object is to get it rereferred to the Committee on Indian Affairs.

Mr. MANN. Have it referred now.

Mr. MURRAY of Oklahoma. I want to state to the gentleman that possibly it would go off of its own force. I know what that would mean. It would put it at the foot of the calendar.

Mr. MANN. No. That does not put it at the foot of the calendar. I think I know what the gentleman wants to do, and I have no objection to that. We ought to get some of these bills from the top of the calendar, because when they come up they take a lot of time. We are following a very bad practice of passing over bills from time to time at the head of the calendar, and it takes up time when they come up. Now, the gentleman knows he can not pass this bill by unanimous consent, and does not intend to try it.

Mr. MURRAY of Oklahoma. No. In truth, I expect to pass a resolution.

Mr. MANN. I understand. So I do not see the object of keeping the bill on the calendar. It will take 10 minutes on the next day, probably.

Mr. MURRAY of Oklahoma. Does not the gentleman realize that it would not hurt anything if it went off later?

Mr. MANN. I think it ought to go off the calendar. It does not prejudice any of the gentleman's rights.

Mr. MURRAY of Oklahoma. Very well. Let it go off the calendar.

Mr. MANN. I object.
The SPEAKER. It will go off the calendar, then. The Clerk will report the next bill.

PAYMENTS UNDER RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4628) extending the period of payment under the reclamation projects, and for other purposes.

The Clerk read the bill, as follows:
Be it enacted, etc., That any person whose lands hereafter become subject to the terms and conditions of the act approved June 17, 1902, entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," and acts amendatory thereof or supplementary thereto, hereafter to be referred to as

the reclamation law, and any person who hereafter makes entry thereunder shall at the time of making water-right application or entry, as the case may be, pay into the reclamation fund 5 per cent of the construction charge fixed for his land as an initial installment, and shall pay the balance of said charge in 15 annual installments, the first 5 of which shall be 5 per cent of the construction charge and the remainder 7 per cent until the whole amount shall have been paid. The first of the annual installments shall become due and payable on December 1 of the fifth calendar year after the initial installment: *Provided*, That any water-right applicant or entryman may, if he so elects, pay the whole or any part of the construction charges owing by him within any shorter period.

ACT SHALL APPLY TO EXISTING PROJECTS.

SEC. 2. That any person whose land or entry has heretofore become subject to the terms and conditions of the reclamation law shall pay the construction charge in 20 annual installments, the first of which shall become due and payable on December 1 of the year in which the public notice affecting his land is issued under this act, and subsequent installments on December 1 of each year thereafter. The first 4 of such installments shall each be 2 per cent, the next 2 installments shall each be 4 per cent, and the next 14 each 6 per cent of the total construction charge or the portion of the construction charge unpaid at the beginning of such installments.

PENALTIES.

SEC. 3. That if any water-right applicant or entryman shall fail to pay any installment of his construction charges when due, there shall be added to the amount unpaid a penalty of 1 per cent thereof, and there shall be added a like penalty of 1 per cent of the amount unpaid on the first day of each month thereafter so long as such default shall continue. If any such applicant or entryman shall be one year in default in the payment of any installment of the construction charges and penalties, or any part thereof, his water-right application, and if he be a homestead entryman his entry also, shall be subject to cancellation, and all payments made by him forfeited to the reclamation fund: *Provided*, That if the Secretary of the Interior shall so elect, he may cause suit or action to be brought for the recovery of the amount in default and penalties; but if suit or action be brought, the right to declare a cancellation and forfeiture shall be suspended pending such suit or action.

INCREASE OF CHARGES.

SEC. 4. That no increase in the construction charges shall hereafter be made, after the same have been fixed by public notice, except by agreement between the Secretary of the Interior and a majority of the water-right applicants and entrymen to be affected by such increase, whereupon all water-right applicants and entrymen in the area proposed to be affected by the increased charge shall become subject thereto. Such increased charge shall be added to the construction charge and payment thereof distributed over the remaining unpaid installments of construction charges.

OPERATION AND MAINTENANCE.

SEC. 5. That in addition to the annual construction charges, every water-right applicant, entryman, or landowner under or upon a reclamation project shall also pay, whenever water service is available for the irrigation of his land, an operation and maintenance charge based upon the total cost of operation and maintenance of the project, or each separate unit thereof, and such charge shall be made for each acre-foot of water delivered; but each acre of irrigable land, whether irrigated or not, shall be charged with a minimum maintenance and operation charge based upon the charge for delivery of not less than 1 acre-foot of water: *Provided*, That whenever any legally organized water users' association or irrigation district shall so request, the Secretary of the Interior is hereby authorized, in his discretion, to transfer to such water users' association or irrigation district the care, operation, and maintenance of all or any part of the project works, subject to such rules and regulations as he may prescribe. If the total amount of operation and maintenance charges and penalties collected for any one irrigation season on any project shall exceed the cost of operation and maintenance of the project during that irrigation season, the balance shall be applied to a reduction of the charge on the project for the next irrigation season, and any deficit incurred may likewise be added to the charge for the next irrigation season.

PENALTIES.

SEC. 6. That all operation and maintenance charges shall become due and payable on the date fixed for each project by the Secretary of the Interior, and if such charge is paid on or before the date when due there shall be a discount of 5 per cent of such charge; but if such charge is unpaid on the first day of the third calendar month thereafter a penalty of 1 per cent of the amount unpaid shall be added thereto, and thereafter an additional penalty of 1 per cent of the amount unpaid shall be added on the first day of each calendar month if such charge and penalties shall remain unpaid, and no water shall be delivered to the lands of any water-right applicant or entryman who shall be in arrears for more than one calendar year for the payment of any charge for operation and maintenance, or any annual construction charge and penalties. If any water-right applicant or entryman shall be one year in default in the payment of any charge for operation and maintenance and penalties, or any part thereof, his water-right application, and if he be a homestead entryman his entry also, shall be subject to cancellation, and all payments made by him forfeited to the reclamation fund. In the discretion of the Secretary of the Interior suit or action may be brought for the amounts in default and penalties in like manner as provided in section 3 of this act.

FISCAL AGENT.

SEC. 7. That the Secretary of the Interior is hereby authorized, in his discretion, to designate and appoint, under such rules and regulations as he may prescribe, the legally organized water users' association or irrigation district, under any reclamation project, as the fiscal agent of the United States to collect the annual payments on the construction charge of the project and the annual charges for operation and maintenance and all penalties: *Provided*, That no water-right applicant or entryman shall be entitled to credit for any payment thus made until the same shall have been paid over to an officer designated by the Secretary of the Interior to receive the same.

RECLAMATION REQUIREMENTS.

SEC. 8. That the Secretary of the Interior is hereby authorized to make rules and regulations governing the irrigation of the lands within any project, and may require the reclamation for agricultural purposes and the cultivation of one-half the irrigable area under each water-right application or entry within three full irrigation seasons after the

filing of water-right application or entry, and the reclamation for agricultural purposes and the cultivation of three-fourths the irrigable area within five full irrigation seasons after the filing of the water-right application or entry, and shall provide for continued compliance with such requirements. Failure on the part of any water-right applicant or entryman to comply with such requirements shall render his application or entry subject to cancellation.

LANDS NOT SUBJECT TO RECLAMATION ACT.

SEC. 9. That in all cases where application for water right for lands in private ownership or lands held under entries not subject to the reclamation law shall not be made within one year after the passage of this act, or within one year after notice issued in pursuance of section 4 of the reclamation act, in cases where such notice has not heretofore been issued, the construction charges for such land shall be increased 5 per cent each year until such application is made and an initial installment is paid.

WITHDRAWN LANDS SUBJECT TO ENTRY.

SEC. 10. That the act of Congress approved February 18, 1911, entitled "An act to amend section 5 of the act of Congress of June 25, 1910, entitled 'An act to authorize advances to the reclamation fund and for the issuance and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes,'" be, and the same hereby is, amended so as to read as follows:

"SEC. 5. That no entry shall be hereafter made and no entryman shall be permitted to go upon lands reserved for irrigation purposes until the Secretary of the Interior shall have established the unit of acreage per entry and water is ready to be delivered for the land in such unit or some part thereof and such fact has been announced by the Secretary of the Interior: *Provided*, That where entries made prior to June 25, 1910, have been or may be relinquished, in whole or in part, the lands so relinquished shall be subject to settlement and entry under the reclamation law."

WATER SERVICE.

SEC. 11. That whenever water is available and it is impracticable to apportion operation and maintenance charges as provided in section 5 of this act the Secretary of the Interior may, prior to giving public notice of the construction charge per acre upon land under any project, furnish water to any entryman or private landowner thereunder until such notice is given, making a reasonable charge therefor, and such charges shall be subject to the same penalties and to the provisions for cancellation and collection as herein provided for other operation and maintenance charges.

ADMISSION OF PRIVATE LANDOWNERS TO NEW PROJECTS.

SEC. 12. That before any contract is let or work begun for the construction of any reclamation project hereafter adopted the Secretary of the Interior shall require the owners of private lands thereunder to agree to dispose of all lands in excess of the area which he shall deem sufficient for the support of a family upon the land in question, upon such terms and not to exceed such price as the Secretary of the Interior may designate; and if any landowner shall refuse to agree to the requirements fixed by the Secretary of the Interior his land shall not be included within the project if adopted for construction.

DISPOSITION OF EXCESS FARM UNITS.

SEC. 13. That all entries under reclamation projects containing more than one farm unit shall be reduced in area and conformed to a single farm unit within two years after making proof of residence, improvement, and cultivation, or within two years after the issuance of a farm-unit plat for the project. If the same issues subsequent to the making of such proof: *Provided*, That such proof is made within four years from the date as announced by the Secretary of the Interior that water is available for delivery to the land. Any entryman failing within the period herein provided to dispose of the excess of his entry above one farm unit in the manner provided by law and to conform his entry to a single farm unit shall render his entry subject to cancellation as to the excess above one farm unit: *Provided*, That upon compliance with the provisions of law such entryman shall be entitled to receive a patent for that part of his entry which conforms to one farm unit as established for the project: *Provided further*, That no person shall hold by assignment more than one farm unit prior to final payment of all charges for all the land held by him subject to the reclamation law, except operation and maintenance charges not then due.

ACCEPTANCE OF THIS ACT.

SEC. 14. That any person whose land or entry has heretofore become subject to the reclamation law, who desires to secure the benefits of the extension of the period of payments provided by this act, shall, within six months after the issuance of the first public notice hereunder affecting his land or entry, notify the Secretary of the Interior, in the manner to be prescribed by said Secretary, of his acceptance of all of the terms and conditions of this act, and thereafter his lands or entry shall be subject to all of the provisions of this act.

SEC. 15. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

With committee amendments, as follows:

Amend, page 2, line 12, by inserting the following: "*Provided further*, That entry may be made whenever water is available, and the initial payment be made when the charge per acre is established."

Amend, page 2, line 19, by inserting the following: "or the portion of the construction charge remaining unpaid."

Amend, page 3, lines 3 and 4, by striking out, after the word "charge" in line 3, the words "or the portion of the construction charge unpaid at the beginning of such installments."

Amend, page 3, line 17, by inserting, after the word "fund," the words "but no homestead entry shall be subject to contest because of such default."

Amend, page 4, line 8, by inserting, after the word "charges," the following: "*Provided*, That the Secretary of the Interior, in his discretion, may agree that such increased construction charge shall be paid in additional annual installments, each of which shall be at least equal to the amount of the largest installment as fixed for the project by the public notice heretofore issued. And such additional installments of the increased construction charge, as so agreed upon, shall become due and payable on December 1 of each year subsequent to the year when the final installment of the construction charge under such public notice is due and payable: *Provided further*, That all such increased construction charges shall be subject to the same conditions, penalties, and suit or action as provided in section 3 of this act."

Amend, page 4, line 23, by striking out the word "annual."

Amend, page 4, line 24, by striking out the word "charges" and inserting in lieu thereof the word "charge."

Amend, page 7, line 16, by striking out the word "one-half" and inserting in lieu thereof the word "one-fourth."

Amend, page 7, line 20, by striking out the word "three-fourths" and inserting in lieu thereof the word "one-half."

The SPEAKER. Is there objection?

Mr. STAFFORD. I reserve the right to object.

Mr. BORLAND. Mr. Speaker, reserving the right to object, personally I do not believe this is a bill that ought to pass under unanimous consent.

Mr. GARNER. Mr. Speaker, this is only unanimous consent to consider it. We are not asking to have it passed by unanimous consent.

The SPEAKER. Is there objection?

Mr. BORLAND. I reserve the right to object, Mr. Speaker.

Mr. TAYLOR of Colorado. Mr. Speaker, I want to ask the gentleman from Missouri [Mr. BORLAND] if he is willing to allow the bill to remain on the calendar and retain its place and pass it over for the present?

Mr. GARNER. Mr. Speaker, may I suggest to the gentleman from Missouri that this is a bill reported by my colleague from Texas [Mr. SMITH], and he suggested that when the matter was called up there would be a number of gentlemen on the floor who thoroughly understand the matter. He has informed me that it has had the consideration not only of the House committee but also of the Senate committee and that of the Interior Department, and a number of gentlemen who understand the subject thoroughly, and that it is of vital importance to the arid West, where these irrigation projects have started, that this bill should become a law. Of course, Texas has no interest in this matter whatever. We have no public lands in my State, and my colleague, simply as chairman of that committee, reported the bill in order to give relief to the farmers of the arid West, who are unable to meet the payments due within the 10 years' limit. If I understand the purport of this bill, it is, in substance, to extend the time of payment from 10 years to 20 years, still giving the Government the same lien and the same rights. There is no possible chance for the Government to lose anything by the passage of this bill.

Mr. MANN. Mr. Speaker, will the gentleman yield to me for a question?

Mr. GARNER. Certainly.

Mr. MANN. The gentleman says that this bill, or the House bill, was reported by his colleague from Texas; that it is very important that it should have consideration, and I agree with him about that. He has another colleague from Texas, I believe, who will have it quite in his power to bring this bill up for consideration in the House by reporting a rule for its consideration. Am I correct about that?

Mr. GARNER. Well, the gentleman from Illinois is possibly in error. I presume he refers to my colleague the chairman of the Committee on Rules [Mr. HENRY].

Mr. MANN. I do, indeed.

Mr. GARNER. I never have understood that the chairman of the Committee on Rules undertook to say that he could control the committee.

Mr. MANN. Oh, he does not say that; but everybody else knows that.

Mr. GARNER. He is quite influential on that committee, no doubt, and might be induced to ask the committee to report out a rule, as the gentleman indicates, if the gentleman from Illinois did not know that under the present conditions there will be but one rule or—and I am not speaking advisedly—at least three rules within the reasonable time allowed to carry out the administration's program.

Mr. MONDELL. Is that all?

Mr. GARNER. For the present, I said.

Mr. MANN. You know we passed three bills in a week under a rule.

Mr. GARNER. I understand that. But the gentleman from Illinois is thoroughly familiar with the provisions and merits of this bill, and I am certain that in his own consciousness he realizes that this bill or some bill similar to it ought to become a law.

Mr. MANN. I agree with the gentleman, and that is the reason why I am calling his attention to the way in which it can be brought before the House.

Mr. GARNER. Here is an opportunity for meritorious legislation in behalf of the farmer, and I appeal to the gentleman from Illinois and others to give the House an opportunity to consider this bill.

Mr. MANN. I appeal to the gentleman from Texas to bring his strong influence to bear upon his colleague from Texas [Mr. HENRY], now the Pooh-Bah of the House in reference to legis-

lation, to bring in a rule to give us a chance to consider this bill.

Mr. GARNER. If it is a meritorious bill, what is the object of having a rule when we can consider it by unanimous consent?

Mr. BORLAND. I will tell the gentleman. I have let him occupy some of my time. I will tell him that there are a great many men in this House interested in this Unanimous Consent Calendar, and if this bill is of the importance he says it is—and I think it is—it will take a great portion of the day, if not the whole day, and in my judgment it does not properly belong on the Calendar for Unanimous Consent at all. Now, the gentleman from Colorado [Mr. TAYLOR], who is the second member on this Committee on Irrigation of Arid Lands, the vice chairman under the gentleman's colleague, is here, and asking to let the bill go over. I have no objection to that. I think it is fair to the House to have that done.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MONDELL. The gentleman from Texas is not entirely accurate in his statement. He says Texas has no interest in the bill. Texas has a very considerable interest in the bill, for while Texas has contributed nothing to the reclamation fund, yet Texas by an act passed some years ago became a beneficiary under the fund, and the people of Texas receive extensions of time for the payments on their construction charges under this bill just as people under other reclamation projects do.

Now, let me suggest to the gentleman from Missouri [Mr. BORLAND] that this bill has been very carefully considered. It is an important bill, but it is not a particularly complicated matter. The gentleman knows that through what has been denominated on that side as a "pussy-footed filibuster" Calendar Wednesday business has been blocked. Otherwise this bill would be up for consideration the coming Wednesday.

As matters now stand, the caucus having decided on a program and this bill not being included in the program, unless there shall be a change of heart on that side, followed by other caucus action, the only way in which this bill can be passed is by unanimous consent. The bill can be just as thoroughly considered now as at any time, and the gentleman knows, because he has been investigating this matter, that there are thousands of people on these projects who have reached the time when their payments are due and they must have some relief. That relief is granted in this bill.

The bill is not only important because it grants relief by an extension of time, but it is important because it contains considerable legislation which is necessary to round out and complete the national reclamation law and to make clear some things which are now ambiguous.

Mr. BORLAND. What the gentleman has said simply confirms what I said a moment ago, that this bill can not be considered on the Unanimous Consent Calendar without taking substantially all day, or a great portion of it, to the exclusion of other business.

But I do not agree with the statement the gentleman makes as to the urgent necessity of this bill. The gentleman knows that the existing condition in the Reclamation Service has been going on for five years, and so far as we know the condition is the same as it was two or three years ago at least. Some measures must be taken to reclaim the Reclamation Service. This bill may have some tendency to that effect, but it is going to reorganize the whole service. It is going to be a matter that a good many men will want to discuss in debate, and it can not be done on a unanimous-consent day. What the gentleman has said simply confirms that.

Mr. MONDELL. The difficulty is that unless it is done on a unanimous-consent day this legislation probably can not be enacted during this session.

Mr. BORLAND. No; I will say to the gentleman that at the suggestion of the Secretary of the Interior I inquired of the Democratic leader whether it would not be possible during this session to have a day for suspension of the rules, and whether that would not be a more appropriate time to take up a bill of this character, and it was conceded that it would be.

Mr. MONDELL. The gentleman is kind-hearted enough to run us up against a two-thirds vote on this legislation.

Mr. BORLAND. You are up against a unanimous vote now.

Mr. MONDELL. If the best the gentleman promises is that we may get an opportunity to consider this bill providing we can get a two-thirds majority for it, his promise does not amount to very much. Furthermore, the gentleman talks about the importance of the legislation, about the various important questions that it raises, and yet his proposition is now that we shall be required to secure a two-thirds majority for it after 20 minutes of debate and no opportunity for amendment. Of course, the gentleman must realize that there is no hope for the passage of the bill in that way. A number of gentlemen

who are not opposed to the general provisions of the bill desire to offer amendments to it. No doubt the gentleman from Missouri does, and that can not be done under suspension of the rules. In effect, therefore, the suggestion of the gentleman from Missouri leaves us without hope. Give us a chance to take the bill up now and it can be discussed and passed.

Mr. RAKER. The gentleman from Missouri [Mr. BORLAND] has given this matter some consideration, has he not?

Mr. BORLAND. I have given it some thought and consideration.

Mr. RAKER. May I call attention to the fact that for at least two months the Secretary of the Interior, the Commissioner of the General Land Office, the heads of the Reclamation Service, Mr. Newell, Mr. Davis, Mr. Ryan, Mr. King, and others, and practically all of the Representatives from the Western States, as well as those where there are reclamation projects, met day after day and went over this bill in all of its phases; and I do not believe there is any bill that ever came before this Congress that was given more thorough and painstaking consideration than this bill. It was then reported to the Senate and House, and hearings again had. No objections were made. The President has gone over this legislation, has gone over the facts that necessitated it, and after his investigation he is very earnest in the hope that this bill will be passed. We have received telegrams from these various projects, urging that this bill be passed, to the end that a change be made, so that it will be workable, and that every dollar that has been expended or will be expended by the Government will be returned to the Treasury of the United States. With all this behind it, with this investigation, I plead with the gentleman from Missouri not to object. As I understand, the President is anxious that this bill pass, and I trust the gentleman will not object to the consideration of the bill. It is a meritorious matter, and I will say to the gentleman that many times I have appeared with the other Members of the House and Members of the Senate, sometimes 30 or 40, who have appeared at the Secretary's office and gone over this bill. Then we would go back again and again in a few days. The President has gone over every phase of this bill, and urges that this legislation be passed. The Secretary of the Interior is very desirous that this legislation become a law. This bill should be considered without delay by this House. It is important to the settlers now on these projects.

Mr. BORLAND. Let me interrupt the gentleman right there—

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is, Is there objection to the consideration of this bill?

Mr. TAYLOR of Colorado. I ask unanimous consent that the bill retain its place on the calendar and be passed over.

The SPEAKER. The gentleman from Colorado asks that the bill retain its place on the calendar and be passed over without prejudice. Is there objection?

There was no objection.

DRAINAGE CONGRESS, SAVANNAH, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10078) authorizing the Secretary of State to invite other nations of the world to participate in the Drainage Congress to be held at Savannah, Ga., in 1914, and to appropriate \$10,000 to help defray the expenses thereof.

The Clerk read the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FOSTER. Mr. Speaker, my understanding is that this congress has been held.

Mr. HARRISON. It has been held, and there is no objection to the bill being stricken from the calendar.

Mr. MANN. There is absolutely no information in the report, anyhow.

Mr. HARRISON. The information was given to the congress when it was held.

The SPEAKER. Does the gentleman from Mississippi say the congress has been held?

Mr. HARRISON. The congress was held in April.

Mr. STAFFORD. The information was given in the newspapers at the time.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects. The bill will be stricken from the calendar.

RELIEF OF LANDOWNERS IN MISSISSIPPI.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13581) for the relief of the landowners on the east bank of the Mississippi River, in the counties of Warren, Claiborne, Jefferson, Adams, and Wilkinson, in the State

of Mississippi, and the parish of West Feliciana, State of Louisiana.

The Clerk read the bill at length.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object.

Mr. COLLIER. Mr. Speaker, this is a bill by my colleague, Mr. QUIN, who is unavoidably detained by reason of a visit as a member of the Subcommittee on Military Affairs to New York. I ask the gentleman to withdraw his objection and let the bill be passed over without prejudice.

Mr. MANN. I have no objection to that.

The SPEAKER. Is there objection to the request that the bill be passed without prejudice?

There was no objection.

LOCATORS OF OIL AND GAS ON THE PUBLIC DOMAIN.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 15469) to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911.

The Clerk read the bill, as follows:

Be it enacted, etc., That an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911, be amended by adding thereto the following section:

"SEC. 2. That where applications for patents have been or may hereafter be offered for any oil or gas land included in an order of withdrawal upon which oil or gas has heretofore been discovered, or is being produced, or upon which drilling operations are in actual progress at the date of the passage of this act, and oil or gas is thereafter discovered thereon, and where there has been no final determination by the Secretary of the Interior upon such applications for patent, said Secretary, in his discretion, may enter into agreements, under such conditions as he may prescribe with such applicants for patents in possession of such land or any portions thereof, relative to the disposition of the oil or gas produced therefrom or the proceeds thereof, pending final determination of the title thereto by the Secretary of the Interior, or such other disposition of the same as may be authorized by law."

The SPEAKER. Is there objection?

Mr. FINLEY. I object.

Mr. FERRIS. Will the gentleman reserve his objection and hear some explanation of the bill?

Mr. FINLEY. I will reserve the objection, Mr. Speaker.

Mr. FERRIS. Mr. Speaker, in the State of California for a number of years applicants for title under the placer-mining law have been proceeding with the drilling for oil. Some have proceeded regularly and some have proceeded irregularly. In their strife for patents much delay has been brought about; also much complication in procedure. The situation that becomes acute is from the fact that the pipe-line people are refusing to take their oil on the theory that their patents or titles are not good, that the patents have not been issued, and the titles are at least in question. So they have in many instances had to shut down their oil wells, and it has brought about a stagnation in the field. It is an acute situation that needs attention now. The Committee on Public Lands heard gentlemen for a week or 10 days at a time, and 25 or 30 oil men from California came before the committee. The Secretary of the Interior detailed a lawyer, and they also had Mr. Smith, of the Geological Survey, to sit with the committee and try to find out and ascertain, if possible, what could be done to help out the situation locally. Two things seem to the committee to be important. One was that the wells of these independent producers, pending the time when it was determinable whether or not they had title to the lands, should not be destroyed by allowing the water to break in. Second, not to do anything more than to grant power to the Secretary of the Interior to bring about a working arrangement whereby the wells might be developed and retain within his control a sufficient amount of oil pending the time when they could determine whether the title was good or not. The situation is a peculiarly acute one, and the Secretary of the Interior has written a strong letter on it. The committee brought in unanimously this measure for providing relief. It involves the whole west side of the San Joaquin Valley of California—125 miles long and 3 or 4 miles wide. This is a temporary relief measure that is needed badly not only for the protection of the rights of the applicants but the Government as well.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. STAFFORD. I understand that there are some contests pending in the Land Office about some companies connected with the Standard Oil Co. concerning lands in Wyoming. Would this bill apply to them?

Mr. FERRIS. The bill is peculiarly for California, as I recall it. The act of March 2, 1911, was a bill introduced by Rep-

resentative Smith of California, and that bill applied to this same situation. The oil men are struggling for patents. I may be in error as to this being a special or local here, but, anyway, the demand was local and local to California.

Mr. STAFFORD. Why should there not be general legislation on it? Why should it be special? I know of a certain case in Wyoming where the Government is contesting the right of private oil companies, presumably the Standard Oil Co., to their location.

Mr. FERRIS. If the gentleman feels that it ought to be amended, we can do it. It seemed to the committee that this situation was peculiarly acute in California and needed the attention of Congress.

Mr. STAFFORD. But there are other oil lands in other parts of the United States besides California.

Mr. FERRIS. The situation is more acute in California than in the rest of the country.

Mr. MANN. Why would not this bill apply to the Southern Pacific?

Mr. FERRIS. Because in a grant to the Southern Pacific, given years ago, there was a provision which intended to reserve the minerals and oil, and I hope that when it is finally determined it will be held to do so.

Mr. MANN. Do not they make application to the Government for grants?

Mr. FERRIS. They have the patents; it is a question whether the grant in present carried with it the oil, gas, and mineral under the surface. I hope the reservation is sufficient to retain it in the Federal Government. But that is a question to be litigated. They have the patent already.

Mr. MANN. I am not at all convinced that this does not apply to it.

Mr. FERRIS. The gentleman from California [Mr. CHURCH] tells me that the Southern Pacific already have their patents. It is not a question of location under the placer law, but a question of the construction as to what the grant made years and years ago was.

Mr. MANN. This is not a location under the placer law either. This is where applicants for patents have been or may hereafter be filed for any oil or gas lands.

Mr. FERRIS. The Southern Pacific lands are already patented.

Mr. MONDELL. Will the gentleman yield to me?

Mr. FERRIS. Yes.

Mr. MONDELL. Has the gentleman any objection to adding, after the word "patent," in line 1, the words "under the placer-mining act"?

Mr. FERRIS. Not at all. That is what we want to do. There is no effort on the part of the committee or on the part of any member of the committee or anybody else to make it apply to any other than those men who are trying in good faith to get patents under the placer-mining law.

Mr. MANN. Why does not the department determine the rights of these people as to their patents?

Mr. FERRIS. I am glad the gentleman has asked that question. We brought before us the Commissioner of the General Land Office. He came with amazing frankness, and said that the Land Office could not pass on the many cases for want of appropriations.

Mr. MANN. That excuse is too flimsy for anybody to present, and I am sure the gentleman himself would not have originated it.

Mr. FERRIS. It is not a flimsy excuse to the man who is out in the field and can not get his rights passed on. I desire to print herein the report, No. 519, which contains a letter from the department on the subject.

[House Report No. 519, Sixty-third Congress, second session.]

LOCATORS OF OIL AND GAS ON THE PUBLIC DOMAIN.

Mr. FERRIS, from the Committee on the Public Lands, submitted the following report, to accompany H. R. 15469:

The Committee on the Public Lands, to whom was referred H. R. 15469, by Mr. CHURCH, amending an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911, beg leave to report the same back to the House with the recommendation that the bill do pass.

The bill was referred to the department, and the department has reported on the same, and it is thought that the entire letter will be of value in the consideration of the bill by the House.

The report thereon is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 10, 1914.

Hon. SCOTT FERRIS,

Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. FERRIS: I am in receipt of your request for report and recommendation upon H. R. 15469, a bill to amend the act of Congress approved March 2, 1911 (36 Stat., 1015). The amendment proposed is the addition of a section which will authorize the Secretary of the

Interior to enter into agreements, under such conditions as he may prescribe, with parties who have presented or may present applications for patent for oil or gas land included in an order of withdrawal and upon which oil or gas has been discovered, is being produced, or upon which drilling operations shall be in actual progress at the date of the passage of the act, said agreements to relate to the disposition of the oil or gas produced from the lands, or the proceeds thereof, pending final determination by the Secretary of the Interior of the validity of the offered applications for patents.

The proposed legislation is peculiarly applicable to the California oil fields, where a large number of locations and applications are under investigation or involved in proceedings which challenge the validity of the locations or the regularity of the applications presented. Many oil and gas wells are in actual operation upon these and adjacent lands, and by reason of the investigations of the department and certain suits instituted by the United States to enjoin parties from removing oil from the lands, the operators are unable to dispose of the oil or gas under existing laws pending adjudication of their claims. This is disadvantageous not only to the operators, but to the United States, because the failure to continuously operate the wells may result in the diminution or destruction of the oil or gas values through introduction of water into the wells or by reason of the draining of the oil and gas deposits from under the lands involved through wells sunk and in operation upon adjacent patented lands. The situation is one which demands immediate attention if the operators and the United States are to be saved from large and irreparable loss, and I earnestly recommend the enactment of the bill. At the same time I desire to point out that this bill gives temporary relief only, in that it permits of adjustments which will permit of the operation of oil and gas wells and take care of the proceeds pending the final adjudication of the claims by the department. It does not provide a method for disposing of the lands or the deposits after final adjudication of the cases if the claims of the applicants be finally denied. Relief for the latter situation may, however, be provided later.

I understand the present bill to authorize the Secretary of the Interior to enter into agreement with the record claimant to all or any part of a location, provided such record claimant has presented or shall present an application for patent for all or any portion of the location involved.

I further direct attention to the general bill providing for the leasing of lands containing deposits of oil, gas, and certain other minerals now pending before your committee, and to the similar measure, S. 4898, now pending before the United States Senate. The latter measures, if enacted, will prevent the future occurrence of such conditions as now confront us, and the necessity for the temporary remedial legislation now under consideration emphasizes the importance of the early enactment of the general leasing measure.

Very truly, yours,

FRANKLIN K. LANE.

A careful reading of Secretary Lane's report discloses that some temporary relief for these oil men engaged in oil production on the public domain is an emergency. The legislation authorizes the Secretary of the Interior to make working agreements whereby the oil claimants may go on with the production of oil, and thereby preserve the rights of themselves and the United States until a suitable leasing law can be passed covering the case.

Certain irregularities with reference to some of the oil operators have brought about a confusion of title. The institution of suits has caused the pipe lines to refuse to accept the oil and buy the oil, there being no market for the oil other than the pipe-line companies, and has brought stagnation in oil development.

As will be observed by the Secretary's letter and from facts brought to the attention of the committee in a printed hearing had, show that lands held in private ownership, most of which came from original land grants, of alternate sections make it possible for the lands held in private ownership to go on with the production, pumping, and draining of the Government lands to an extent that is greatly to the disadvantage of the General Government as well as to the oil prospectors themselves.

Twenty-five or thirty independent oil producers of California appeared before the committee and presented hardships, disaster, and trouble which deserves the attention of Congress, and at the earliest possible moment.

Your committee was unanimously of the opinion that, pending a time when these titles could be definitely settled and pending a time when those who deserve patents could get patents and those who should be denied patent could be formally denied patent, such temporary working arrangements as proposed in H. R. 15469 was about the only method of solving the problem.

The Secretary of the Interior is a man of broad views, keen intellect, and with peculiar and actual knowledge of the actual conditions as they exist, and it is the thought of every member of the committee, after prolonged hearings and painstaking attention, that this bill should be passed at once for the purpose of preserving what the Government has and what the developers of oil deserve, and to prevent damage and disaster from any source.

The actual method of working is thought to be that the Secretary will retain a sufficient portion of the proceeds of the oil to indemnify the Government in the event the title will finally be held to be adverse to the claimants, so that untold hardships may not follow. Some of the men developing oil in the California region have almost been driven to bankruptcy. Telegraphic appeals and personal appeals have come from California sources urging some action on the part of Congress.

The bill, as will be observed, does not part with title to a foot of land or to any oil or gas of the United States, but merely authorizes a continuation of operations to prevent waste, decay, destruction by water breaking in, and other disaster coming from the nonuse of oil machinery and oil development. The committee can not urge too strongly the advisability of this temporary relief, and that at the earliest possible moment.

The complaints have come chiefly from California and from a strip of country about 125 miles long and from 2 to 5 miles wide on the west side of the San Joaquin Valley in California.

As was suggested by Secretary Lane in his letter, there is pending in both branches of Congress, and in truth the bill before the House committee is well under way, legislation providing for a leasing system of the oil and gas lands of the United States, so that hereafter tangled titles relative to the procedure and acquirement may not be one of the troublesome tasks for the American Congress to deal with. The affording of this temporary relief by the passage of H. R. 15469 will in no manner interfere with the broad-gauged conservation policy outlined in the leasing law soon to be reported and now pending before both the House and Senate committees.

Respectfully submitted.

Mr. MANN. If the Government finds a case where gross injustice is being done to these people, there is no reason why the Interior Department should not decide the question of the patent. We passed a law three years ago in order that they might settle up these things, and this is to amend that act.

Mr. FERRIS. The commissioner informed us that they were working as fast as they could, but that notwithstanding that great injustice would be done.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the Record upon this bill.

The SPEAKER. Is there objection?

There was no objection?

EXCHANGE OF LANDS IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (S. 65) to amend an act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof," approved April 12, 1910.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof," approved April 12, 1910, be, and the same are hereby, extended so as to include and apply to the southeast quarter of section 13 in township 27 north, range 85 west.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BROWN of New York. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BROWN of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR KANSAS CITY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14189) to authorize the construction of a bridge across the Missouri River near Kansas City.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Missouri Valley Bridge & Iron Co., a corporation organized under the laws of the State of Kansas, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a highway, trolley, and railroad bridge, and approaches thereto, across the Missouri River at a point suitable to the interests of navigation between the Chicago, Milwaukee & St. Paul Railway bridge and the mouth of the Big Blue River, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Lines 6 and 7, page 1, strike out the words "highway, trolley, and railroad."

The SPEAKER. Is there objection?

Mr. ALEXANDER. Mr. Speaker, I reserve the right to object.

Mr. COOPER. Mr. Speaker, I also reserve the right to object.

Mr. ALEXANDER. Mr. Speaker, if the gentleman from Georgia [Mr. ADAMSON], the chairman of the Interstate and Foreign Commerce Committee, desires to make a statement, I will give way to him for that purpose.

Mr. ADAMSON. Mr. Speaker, I prefer that the gentleman from Missouri make the statement. He has objected to an amendment which the committee made in accordance with its uniform conduct in striking out the words defining the character of the bridge. If the gentleman can state to the House any sufficient reason why we ought to vary the custom and put in that description of the character of the bridge, I am perfectly willing to bow to the opinion of the House, and the committee would agree with me in that concurrence. If the gentleman can satisfy the House that an exception ought to be made in this case, very well.

Mr. ALEXANDER. Mr. Speaker, when this bill was introduced it attracted the attention of my constituents, who are directly interested in the bill. I may say that if this bridge is constructed across the Missouri River it will be from Jackson

County on the south side to Clay County on the north. Jackson County is in the district represented by my colleague [Mr. BORLAND] and Clay County, on the north, is in the district represented by myself. My people, including the Commercial Club of Liberty, Mo., one of the largest towns in Clay County, Excelsior Springs being the other large town, are quite willing that a bridge may be constructed across the river at the point designated if it provides for a wagon and trolley and railroad bridge, but they are unwilling that such a bridge may be constructed unless it is provided for these three purposes. We have three bridges across the Missouri River now from Jackson to Clay County. Two of them are railroad bridges. The third is a combination railroad, trolley, and wagon bridge, but the wagon bridge or combination bridge is between the Burlington bridge on the west and the Milwaukee bridge on the east. This bill provides for the construction of a bridge east of the Milwaukee bridge and west of the mouth of the Blue River. On both sides of the river there is very rich land, suitable for market gardening. It is the wish of the farmers that if a bridge is constructed it may give them an outlet to the Kansas City markets.

There is no imperative demand for the construction of a railroad bridge alone, but it would serve a useful purpose if it also provides for a wagon bridge. And again, trolley lines are being extended from Kansas City north and suburban property developed. Already one has been constructed and goes over the combination bridge between the Burlington and the Milwaukee Bridges out through Liberty to Excelsior Springs, Mo., and we want to provide other outlets to the north. Of course a company may be organized under the law of the State of Missouri for the construction of a bridge, but if this bill had not provided for a highway, trolley, and railroad bridge, I should have gone before the Committee on Interstate and Foreign Commerce and resisted, as much as I could, the favorable report on the bill. My colleague [Mr. BORLAND] and I are in perfect accord upon this matter. We both want this amendment, and our constituents want it. I do not know why it should not be incorporated in the bill.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MOORE. On several occasions I have raised a question with regard to the franchise granted to an individual or a concern that is to build a bridge. In this case the Missouri Valley Bridge & Iron Co., "a corporation organized under the laws of the State of Kansas," is to be given the right. Has the gentleman any assurance that the Missouri Valley Bridge & Iron Co. is a responsible concern, that it will build such a bridge as the people out there ought to have, or that it will build "a highway, trolley, or railroad bridge" if that specific provision is not incorporated in the law?

Mr. ALEXANDER. I have not such assurance, hence I want the provision in express terms in the bill. I want to say this, however, that I understand the company is a responsible company.

Mr. ANTHONY. Mr. Speaker, I simply want to say that the company is one of the most responsible companies in the bridge business, having constructed bridges at St. Louis and at other points along the Missouri and Mississippi Rivers.

Mr. MOORE. That answers the question to a certain extent; but it has been the policy of the committee, I have observed, not to concern itself particularly with regard to the company or the individual to whom the franchise is to be granted, that being left altogether to the Secretary of War to determine when the plans and specifications are laid before him. I assume the two gentlemen from Missouri are anxious to have it written into the law definitely as to what they are going to get in the way of a bridge, and that they would like a specific legal instruction in this respect to the Secretary of War.

Mr. ALEXANDER. Yes. Otherwise we do not want the bridge at all.

Mr. ADAMSON. Mr. Speaker, the gentleman from Pennsylvania [Mr. MOORE], amiable and able, contrary to his usual accuracy, has inadvertently made a statement which hardly does justice to the committee. He said that the committee does not usually inquire into the person and character of the applicant who desires the franchise to construct the bridge. The gentleman is laboring under a mistake there. The committee primarily passes on the question, first, whether or not the party named is a proper person, natural or artificial, or properly authorized for Congress to grant its consent for the building of a bridge. What is left for the War Department is to carry out the details and plans, and see that the bridge is constructed so as not to interfere with navigation. Now, I do not doubt it is desirable to the community to have a combination bridge, and it is desirable in the interest of navigation that if bridges

are needed for vehicles and pedestrians as well as for railroads there should be as few bridges as possible, because every bridge is an obstruction to navigation; and while Congress may impose any reasonable condition it chooses as a condition of consenting at all for a party to build a bridge, the question is, Ought not the State which charters and authorizes the company to decide what sort of a bridge it is and what the local people need there? If the gentleman will state there is no way to secure any such authority in the State in which the bridge is to be built, they have obviated that question; and if they can not get it there, if the conditions are such we ought to put such conditions on our consent, then we are perfectly willing for the committee amendment to be disagreed to by the House.

Mr. MOORE. Will the gentleman yield to me?

Mr. ADAMSON. Yes.

Mr. MOORE. The gentleman knows, of course, how highly I respect him, both personally and officially—

Mr. ADAMSON. It is a matter of pride to me.

Mr. MOORE. I think the gentleman will not deny that on frequent occasions we have been called upon to pass these bills by unanimous consent, where the person to whom the franchise was granted was, in effect, "John Doe," and the gentleman has taken the position—

Mr. ADAMSON. I do not remember any such bill.

Mr. MOORE. And the gentleman has taken the position on a number of these occasions that the responsibility was on the War Department in the first instance, and on the States in the second instance.

Mr. ADAMSON. The gentleman fails to differentiate between the considerations expressed in a matter of this sort. We have consistently many times refused to consent to a proposition where we thought they did not mean business and were not able to carry out the project, and will always do it.

Mr. MOORE. If the gentleman will pardon me, I have a very distinct recollection of having raised this question at least twice before, where the committee itself had not taken any great pains to inquire as to responsibility of the individual seeking the privilege.

Mr. ADAMSON. That may have been the assumption of the gentleman from Pennsylvania, but if the gentleman ever made any such point and it ever was conceded by the committee, I confess my recollection is very much at fault or I was so obtuse I did not understand the gentleman.

Mr. MOORE. The gentleman is accustomed to fall back upon the general bridge act and the discretion lodged in the Secretary of War in these matters, and I thought it pardonable to call his attention to this question. Hence I have asked as to the responsibility of this bridge company.

Mr. ADAMSON. That only relates to the carrying out of the enterprise, seeing that the structure is so constructed that it will not interfere with navigation.

Mr. MOORE. That is a point in which I am very much interested, and it is covered by the report of the Secretary of War. It is very important to know, in the interest of navigation, whether the constructor of the bridge is responsible; whether he is going to put up a kind of bridge which ultimately will impede navigation; whether, in the event of the failure of the concern holding the franchise to build the bridge, there will be a failure to remove the obstruction, which may thus become a menace to navigation. It is entirely possible, although in this instance we are told that this Missouri company is responsible, that a franchise might be given to an irresponsible individual or concern, resulting in the construction of a bridge that would become an impediment to navigation.

Mr. ADAMSON. The propositions are referable to different authorities. The committee passes first on the probability of the projector carrying out the project. If there is no probability of his doing so, it will be idle to grant consent where there is any doubt about it. The other proposition rests with the Secretary of War, who, in the interest of navigation, has to see that the bridge is so built that the interests of navigation are protected.

Mr. BORLAND. Mr. Speaker, I will say to the gentleman that I investigated also personally the responsibility of these people who are asking to build this bridge, and I found their responsibility was ample for the work which they propose to undertake. Those were conditions precedent to my introducing the bill or presenting it to the committee. Now, I want to say this: I introduced this bill originally as a railroad bridge, because that was the kind of a bridge the projectors asked for. After I had done so the local conditions on both sides of the river, to which Judge ALEXANDER has referred, showed that it required the services of a highway bridge and a trolley bridge. There is no bridge nearer, at least, than 3 miles from this bridge, which ought to be a highway bridge—

Mr. MOORE. Will the gentleman yield?

Mr. BORLAND. In a moment. This is in a section of the country which is rapidly building up as a manufacturing suburb of Kansas City, a truck-gardening suburb, and a local residence section to Kansas City, and trolley lines, as Judge ALEXANDER has said, are extending across the river to the north and to Clay County and the rich bottom lands, and they are erecting residences, and it is becoming a very valuable suburban manufacturing district.

Now, this bridge will connect that kind of a district with the main center of Kansas City, and so I suggested to these objectors that they demand a highway bridge and trolley bridge. The local demand was very great. With some reluctance they consented to it and in that way got, of course, the united public sentiment of that community back of it.

As to the demand for the bridge, there is no question. Judge ALEXANDER and I have looked into that thoroughly, and we are convinced of it. Now, it is possible under our State law, I will say to the chairman of the committee, for a corporation to get a permit itself under the general provisions of the statute giving itself such powers as the corporation may ask. The corporation charters itself simply as a bridge for railroad purposes. The State does not give it a special charter or put any special conditions on it to meet a local demand for a highway.

Mr. ADAMSON. That is what I want the gentleman to make the House understand.

Mr. BORLAND. Here is a place where we have determined this requirement properly goes in. I understand the policy of the committee, or the main intention of Congress, is to give the authority of Congress to the bridging of a navigable stream, and that the other provisions are purely local; but the local demand is here that this description or character of bridge be put into the bridge act, and all parties have agreed upon that basis, and for that reason we are going to ask the committee to vote down the committee amendment striking out the words "highway, trolley, and railroad."

Mr. MOORE. I want to ask the gentleman whether he will not throw over to the discretion of the Secretary of War, if this bill passes without amendment, the character of the bridge that shall be constructed?

Mr. BORLAND. No, indeed. We have no desire to leave it to his discretion.

Mr. MOORE. The plans will have to be submitted to him by the bridge company, and then it will have to be determined by him, and be within his discretion, as to whether you will have a highway, trolley, or railroad bridge.

Mr. ADAMSON. If you agree to the amendment, that discretion remains in the bill.

Mr. MOORE. I say that if the committee amendment prevails, and the provision for the highway, trolley, and railway bridge is stricken out, which I understand the gentlemen from Missouri object to, then it will be left wholly to the discretion of the Secretary of War.

Mr. BORLAND. We are asking to have those words reinserted in the bill because of the local conditions there.

Mr. MOORE. That is what your people want. That is what people on either side of the river want, is it not?

Mr. BORLAND. That is what they want.

Mr. MOORE. And that is what you want to specify in the bill. That is the point I am making. If you do not include the amendment, then your people may not get what is contemplated by this franchise.

Mr. BORLAND. We want it in the bill. That is the proposition.

Mr. ADAMSON. Mr. Speaker, if the gentlemen have concluded, I wish to say that this corporation is a local affair. It is not a regular railroad across the country, but a local affair which proposes to capitalize itself and construct a bridge for local convenience, and the gentleman from Missouri has satisfied me that there is difficulty in securing by local authority the requirement that this local company shall accommodate the entire public; and under the circumstances the committee will not feel aggrieved if the House disagrees to the amendment.

The SPEAKER. Is there objection?

Mr. COOPER. Mr. Speaker, reserving the right to object, I wish only to ask if the Missouri Valley Bridge & Iron Co., named in the bill, is a company which only constructs bridges?

Mr. BORLAND. They are a bridge-construction company, yes; but they construct bridges on their own account as well as under contract.

Mr. COOPER. Has the company heretofore constructed bridges and operated them?

Mr. BORLAND. I understand they have constructed them and afterwards leased them, or sold them, to other parties.

Mr. ANTHONY. I can say, for the information of the gentleman, that it is one of the most widely known bridge-construction companies in the country. They not only build bridges, but they build them and supply them to railroads. And as to this instance in Kansas City, even now they may have leases from three or four different kinds of railroads that contemplate using that bridge. Eventually the bridges they construct go over to some subsequent bridge company or to the railroads themselves.

Mr. COOPER. I take it, Mr. Speaker, that it is simply an ordinary construction company that has been consulted by some corporation, railroad or otherwise, desiring to have a bridge constructed, and that the name of this construction company was put into the bill instead of that of the railroad company.

Mr. ALEXANDER. If the gentleman will pardon me—

Mr. COOPER. Yes.

Mr. ALEXANDER. I have a letter dated May 14, 1914, from J. D. Wilson, of the firm of J. D. Wilson, investments, 617 Dwight Building, Kansas City, Mo., in reference to this bill, in which he says:

KANSAS CITY, Mo., May 14, 1914.

HON. J. W. ALEXANDER,

House of Representatives, Washington, D. C.

DEAR SIR: Bill H. R. 14189, authorizing the construction of a bridge across the Missouri River at Kansas City, introduced by Congressman BORLAND March 4.

I understand that the bill will be reached on the House Calendar Monday, May 18, and am writing to urge you to use every possible effort to have the House act on this day. I realize that the delay on this measure has been unavoidable, but further delay at this time will be very serious. Will you kindly give the bill your especial attention? Can not it be called out or even made a point of special order?

The Missouri Valley Bridge & Iron Co. have proceeded with their arrangements, depending on the permit to have been out before this time. The business men of Liberty and Excelsior Springs, property owners along the proposed rock road—in fact, practically all the southern part of Clay County—are interested in getting the matter under headway.

I trust that you will be able to have the bill acted on next Monday, and assure you that your efforts along that line will be greatly appreciated by all interested.

Yours, very truly,

J. D. WILSON.

Liberty and Excelsior Springs are in my district. I do not know whether they are building the bridge as a local enterprise or with a view of leasing it to a railway company or not, but my people are interested in having it as a trolley as well as a steam railroad bridge.

Mr. COOPER. Mr. Speaker, I had in mind the importance of insisting, where it is possible to insist, that the phraseology of an original bill shall present what the people responsible for it really want, and thus notify people who are interested and entitled to notice of what it is proposed to have done. Now, this original bill notified the people who live in that vicinity, as the gentleman from Missouri [Mr. ALEXANDER] has said, that it was proposed to build a "highway, trolley, and railroad bridge." The people of that vicinity might very well be content to have such a bridge constructed. But the proposed amendment strikes out the words "highway, trolley, and railroad," and, if adopted, the bill would permit this company to construct any kind of a bridge and sell it to any person or corporation, while interested parties would not have notice of this change nor be afforded opportunity to present their possible objections to the enactment of the bill into law. I can not think of an easier way to mislead people interested in the construction of a bridge than by presenting the bill in the form in which it was originally presented to give to a company, its successors or assigns, the right to build a "highway, trolley, and railroad bridge," and then to strike out "highway, trolley, and railroad" and thus give the company the right to build any kind of a bridge it pleases to build, and to sell it to anybody to whom it pleases to sell.

Mr. BORLAND. I agree with the gentleman.

Mr. COOPER. It is quite a different thing, and things of this kind ought to receive most careful consideration; and unless we can have consent now that that amendment shall be voted out, I shall object to the consideration of the bill.

Mr. ADAMSON. Mr. Speaker, I do not know how the gentleman is going to get consent to vote out the amendment before consent is given to consider the bill. I have stated that, inasmuch as the local authority did not require that the entire public should be accommodated, we are perfectly willing in this case, for the reason stated, that the House shall vote down the committee amendment. I think myself it ought to be voted down, after hearing the statements of these gentlemen.

Mr. MANN. Mr. Speaker, I call for the regular order.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the House Calendar. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, lines 6 and 7, strike out the words "highway, trolley, and railroad."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

FEDERAL BUILDING AT OSAGE CITY, KANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15080) to increase the limit of cost of Federal building at Osage City, Kans.

The Clerk read the bill, as follows:

Be it enacted, etc., That to enable the Secretary of the Treasury to erect and complete the post-office building at Osage City, State of Kansas, provided for in existing legislation, the limit of cost heretofore fixed by Congress be, and the same is hereby, increased in and by the sum of \$7,000 over and above the \$50,000 heretofore authorized, and the Secretary of the Treasury is hereby authorized to enter into contract for the erection and completion of said building within the limit of cost herein established.

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Speaker, I would like to ask what is the necessity for this increase of the limit of cost?

Mr. CANTRILL. I will state, Mr. Speaker, that the report is very brief and sets out the necessity for it, and shows that they have submitted bids and can not get the bids within \$7,000, which is the amount this bill asks for. The bill is in strict accordance with quite a number of other bills that we have passed at this session.

Mr. MADDEN. Why can they not get bids within the limit of cost?

Mr. CANTRILL. The Secretary of the Treasury says he has advertised for bids and the bids received are all too high.

Mr. MADDEN. That is probably because the plans are more elaborate than was intended.

Mr. CANTRILL. The bids were advertised in accordance with the plans of the Treasury Department.

Mr. MADDEN. But they ought to modify the plans.

Mr. DOOLITTLE. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. DOOLITTLE. The building as now planned provides for as cheap construction as is possible and advisable to construct any building, and the amount asked for here is simply sufficient to meet the necessities and make it possible to let the contract to the lowest bidder.

Mr. MADDEN. What is the total amount of the appropriation?

Mr. CANTRILL. Fifty thousand dollars.

Mr. MADDEN. That is, for the building?

Mr. CANTRILL. That is for the building and the site, and \$9,000 was expended for the site.

Mr. MADDEN. What is the population of Osage City, Kans.?

Mr. DOOLITTLE. Four thousand one hundred.

Mr. MADDEN. Well, on a building costing \$50,000 the interest would be \$2,500 a year, and you could rent a suitable place at \$1,000 in any community like that that would be much better for the community than the building proposed to be erected.

Mr. CANTRILL. The gentleman will recall that we have reported dozens of bills of this character which have been passed, and that \$50,000 is the least amount that is ever authorized for any public building.

Mr. MADDEN. I want to say in connection with this that it is an extravagant waste of public money to put up a \$50,000 building in a town of only 4,100 people. The cost of maintaining the building, for janitor service alone, will be more than the rental of a suitable building in which to conduct the Postal Service would amount to in that town if there were no public building there at all, and if I had my way there would not be any public buildings erected in communities of less than 25,000 people. But, of course, I have not my way about it; but I think this is not justifiable, and ought not to be allowed. But I am not going to object.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANTRILL. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. MANN. Wait a moment. I understood, Mr. Speaker, that the gentleman wanted to bring up the Senate bill instead of the House bill?

Mr. DOOLITTLE. Yes.

Mr. MANN. Now is the time to do that.

Mr. CANTRILL. If the other request is granted, Mr. Speaker, I ask unanimous consent that that be done.

Mr. MANN. This comes ahead of the other.

Mr. CANTRILL. I ask unanimous consent, Mr. Speaker, that the Senate bill 5066, which has passed the Senate and is identical with the House bill just reported, be considered instead of the House bill.

The SPEAKER. The gentleman from Kentucky [Mr. CANTRILL] asks unanimous consent that the Senate bill 5066 be considered in lieu of the House bill.

Mr. MANN. It is not identical, but it is similar.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky [Mr. CANTRILL] asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 5066) to increase the authorization for a public building at Osage City, Kans.

Be it enacted, etc., That to enable the Secretary of the Treasury of the United States to give effect to and execute the provisions of existing legislation authorizing the acquisition of land for the site and the erection of a public building at Osage City, Kans., the limit of cost heretofore fixed by Congress therefor be, and the same is hereby, increased \$7,000, and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of said building within its limit of cost, including site.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CANTRILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The House bill is laid on the table, without objection.

There was no objection.

The SPEAKER. The Clerk will report the next one.

NATIONAL ACADEMY OF SCIENCES.

The next business on the Calendar for Unanimous Consent was the bill (S. 4096) to amend the act authorizing the National Academy of Sciences to receive and hold trust funds for the promotion of science, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the act to authorize the National Academy of Sciences to receive and hold trust funds for the promotion of science, and for other purposes, approved June 20, 1884, be, and the same is hereby, amended to read as follows:

"That the National Academy of Sciences, incorporated by the act of Congress approved March 3, 1863, be, and the same is hereby, authorized and empowered to receive, by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust, and to invest, reinvest, and manage the same in accordance with the provisions of its constitution, and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of the donors; *Provided, however,* That the Congress may at any time limit the amount of real estate which may be acquired and the length of time the same may be held by said National Academy of Sciences."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MANN. Mr. Speaker, I move to strike out the last word. I should like to ask the gentleman from New York [Mr. DANFORTH], in charge of this bill, if he thinks there would be any objection to adding a section providing that the right to alter, amend, or repeal this act is hereby expressly reserved?

Mr. DANFORTH. Mr. Speaker, I had not thought of any such amendment to the bill.

Mr. MANN. We usually add that section to all bills of this character.

Mr. DANFORTH. I should think it might be a serious thing, because it might affect the present power that the society possesses to receive gifts other than real estate, if you put that in.

Mr. MANN. We ought to have the power to affect it if we wish to hereafter.

Mr. DANFORTH. I will ask the gentleman if we have not the power now, without any such phrase?

Mr. MANN. There might be a controversy about that.

Mr. DANFORTH. This bill has been passed by the Senate.

Mr. MANN. That is nothing in its favor.

Mr. DANFORTH. And it has been considered and passed upon by the Judiciary Committee of the House and unanimously approved.

Mr. MANN. We are in the habit of reserving—and, I think, very properly—in every grant that we make of a special privilege, the right to alter, amend, or repeal the act.

Mr. DANFORTH. And the gentleman proposes to reserve the right to amend or repeal this act?

Mr. MANN. Yes; that is all that this would apply to. I offer an amendment as section 2 that the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The gentleman from Illinois withdraws his pro forma amendment and offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, after line 8, insert a new section, as follows:

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. DANFORTH, a motion to reconsider the last vote was laid on the table.

RECLAMATION OF HUAI RIVER, CHINA.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 244) to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement.

The joint resolution was read, as follows:

Whereas the Republic of China, with the advice and assistance of the American Red Cross, has arranged for extensive reclamation work in China for the prevention of floods and the resultant famines and is desirous that an Engineer officer of the United States Army experienced in this class of work be permitted to serve in preparing the project and in the execution of the work; and Whereas the United States of America wishes to show its friendly feeling for the Republic of China by complying with this desire: Now, therefore, be it

Resolved, etc., That the President be, and he is hereby, authorized, in his discretion, to grant leave of absence to an officer of the Corps of Engineers, United States Army, to assist the Republic of China, as a member of a board of officers to be designated by the Republic of China, to make an examination and report on the reclamation of Huai River, and thereafter to act as chief engineer of the Huai conservation work in China, to be appointed by the same authority (in pursuance of an arrangement between the American Red Cross and the Government of China); and that such officer while absent on such leave be, and he is hereby, authorized to accept from the Government of China the said employment with compensation from said Government: *Provided, however,* That the permission so given shall be held to terminate at such date as the President may determine; to insure the continuance and completion of this work the President may have the power of substitution in case of the termination of the detail of said officer for any cause; and that the officer, while so absent in the service of the Republic of China, shall receive no pay or allowance from the United States Government.

With the following committee amendment:

Strike out all of the preamble.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Mr. Speaker, reserving the right to object. I am not in any way opposed to the purpose intended to be accomplished by this bill; but we all recognize that it is very probable that our Corps of Engineers may all be needed in case conditions in our neighboring Republic to the south do not develop satisfactorily. I notice on the calendar a bill of similar import, providing for permission to a retired officer of the Corps of Engineers to render service in connection with the New Jersey-New York Joint Harbor Line Commission, and special emphasis is laid upon the fact that it would not be advisable to delegate an active officer of the Engineer Corps for that purpose. Now, I should like to inquire of the gentleman having the bill in charge whether one of the retired officers of the Engineer Corps could not perform this humanitarian work in China as well as one now on the active list?

Mr. MANN. They would not want to send an old man over there.

Mr. KAHN. I will say to the gentleman from Wisconsin that under the terms of this joint resolution the President is authorized to recall the officer at any time. He will find on page 2—

Mr. STAFFORD. I have read the resolution and report and am familiar with the provisions of the resolution.

Mr. KAHN. I will say to the gentleman, further, that this question has been taken up with the Chinese Government through the American Red Cross, and I believe that the officer who is to take charge of this work has been practically agreed upon.

Mr. STAFFORD. I believe this gentleman who has been decided upon for the work in China is also very desirous, in case of difficulties arising in Mexico, to serve his Government there. Does the gentleman think that if the Government designates this Army engineer to go to China he would be recalled and have his place in China left vacant after he has once been designated?

Mr. MANN. The gentleman speaks of "difficulties arising in Mexico." What difficulties does the gentleman refer to? The gentleman knows there will be no difficulty if we start in.

Mr. STAFFORD. I did not think the gentleman took such a roseate view of the situation down there.

Mr. MANN. I do not take a roseate view; but if we start in there will be no difficulty in our accomplishing the work we set out to do.

Mr. STAFFORD. Then there is the river and harbor work in this country.

Mr. MANN. They will attend to the river and harbor work without any difficulty.

Mr. KAHN. I will say to the gentleman from Wisconsin that this officer is to cooperate with the officers appointed by the Chinese Government, and the officer who is to be sent over there has had a great deal of experience in connection with conservation and river work.

Mr. SPARKMAN. Who is that officer?

Mr. KAHN. I do not know.

Mr. MANN. May I ask if he is one of the gentlemen who has been "preventing" the floods on the Ohio and lower Mississippi Rivers in the United States?

Mr. KAHN. I understand this gentleman is familiar with this kind of work and has had considerable experience in it.

Mr. MANN. Does not my friend think if we should send one of these engineers over there it might be very valuable, in that if he could learn how to prevent floods on the Chinese rivers he might be able to come back with some knowledge of how to prevent floods on American rivers, which so far we have not been able to discover?

Mr. KAHN. He would at least learn how to minimize the damage.

Mr. STAFFORD. I do not think he is going over there to be educated. I think he is going over there to educate somebody else.

Mr. MANN. Any man who does work is educated by it.

Mr. STAFFORD. If he has not had experience already he will not be of much value to China.

Mr. KAHN. The Huai River in China overflows its banks about three years in five. These floods have resulted in great loss of life and frequent periods of famine; people have starved to death by the thousands. The American Red Cross has repeatedly sent contributions, and the charitable people of the world have repeatedly sent contributions of money and food into this district in order to alleviate the suffering of the people there.

Mr. STAFFORD. Will the gentleman permit a question?

Mr. KAHN. Certainly.

Mr. STAFFORD. I prefaced my remarks with the statement that I was in sympathy with the measure, but I rose to inquire as to one fact which the gentleman seems to have overlooked. What I am seeking to find out is whether a retired Army officer would not perform this work as well as one in the active service.

Mr. KAHN. I do not think the retired officer could—

Mr. HAY. It is not within the power of the President to require a retired Army officer to perform the duty unless he chooses so to do.

Mr. KAHN. The retired officer must volunteer to go.

Mr. STAFFORD. Mr. Speaker, there is on the calendar Senate joint resolution 29, authorizing the President to appoint a retired officer of the Corps of Engineers to assist in some harbor propositions about New York City. The correspondence with the War Department says that the retired officer is qualified to cooperate with that commission. Why can not there be a retired officer appointed for this position, if he is willing to do this work?

Mr. HAY. The President would have to get the consent of the retired officer, and he might not get the kind of man that he wanted who would agree to it.

Mr. STAFFORD. I can see that there might be some difficulty about that. My purpose was to gain the information as to the retired officer doing the work, and having obtained that, I withdraw the reservation of an objection.

Mr. RAK. I. I understand the officer has been practically selected who is to perform this work, and that he has had experience, and understands the condition of the river—the low tide and the high tide, and so forth.

Mr. KAHN. Oh, no; the river is in the interior.

Mr. RAKER. I meant the high and low water.

Mr. KAHN. This river flows through a valley, one of the great alluvial plains of China.

Mr. RAKER. Would the officer receive compensation from the Government during this time?

Mr. KAHN. No. Under the terms of the resolution, he is not even to receive any allowances.

Mr. RAKER. I understand the Red Cross of the United States, through its president and officers, particularly Miss Boardman, is very anxious to have this resolution passed?

Mr. KAHN. Yes.

Mr. RAKER. In that case, I am in favor of it.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, there is a Senate bill in identical terms on the Speaker's table, and I ask unanimous consent that it be considered in lieu of the House bill. I do not know but that it has been referred to the Committee on Military Affairs.

Mr. MANN. If it is referred, it is not on the table.

The SPEAKER. The gentleman from California asks unanimous consent that Senate joint resolution 139 be substituted for this resolution.

Mr. RAKER. Reserving the right to object, I would like to ask the gentleman if the bills are in the same language?

Mr. KAHN. They are identically the same.

The SPEAKER. The Clerk will report the Senate joint resolution 139.

The Clerk read as follows:

S. J. Res. 139. To authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement.

Whereas the Republic of China, with the advice and assistance of the American Red Cross, has arranged for extensive reclamation work in China for the prevention of floods and the resultant famines, and is desirous that an Engineer officer of the United States Army, experienced in this class of work be permitted to serve in preparing the project and in the execution of the work; and

Whereas the United States of America wishes to show its friendly feeling for the Republic of China by complying with this desire: Now, therefore, be it

Resolved, etc., That the President be, and he is hereby, authorized, in his discretion, to grant leave of absence to an officer of the Corps of Engineers, United States Army, to assist the Republic of China, as a member of a board of officers to be designated by the Republic of China, to make an examination and report on the reclamation of Hual River, and thereafter to act as chief engineer of the Hual conservation work in China, to be appointed by the same authority (in pursuance of an arrangement between the American Red Cross and the Government of China); and that such officer while absent on such leave be, and he is hereby, authorized to accept from the Government of China the said employment with compensation from said Government: *Provided, however,* That the permission so given shall be held to terminate at such date as the President may determine. To insure the continuance and completion of this work the President may have the power of substitution in case of the termination of the detail of said officer for any cause; and that the officer, while so absent in the service of the Republic of China, shall receive no pay or allowances from the United States Government.

Mr. BARTLETT. Mr. Speaker, as I understand, the Senate bill is on the Unanimous Consent Calendar?

The SPEAKER. The Senate bill is on the Speaker's table.

Mr. BARTLETT. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. The Senate bill being on the Speaker's table and a bill of identical character being on the calendar, is it not a matter of privilege and not a matter for unanimous consent?

The SPEAKER. It is a matter of privilege if the gentleman had called it up that way, but he is not calling it up that way.

Mr. MANN. It is not a matter of privilege, Mr. Speaker. The Senate bill has been referred to the Committee on Military Affairs.

The SPEAKER. It was the Chair's mistake. The bill has been referred to the Committee on Military Affairs.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to discharge the Committee on Military Affairs and consider the Senate joint resolution in place of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. MACDONALD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California if the Government of China asks for the assignment of this officer?

Mr. KAHN. Yes; the Government of China proposes to issue bonds to the extent of \$20,000,000 for the purpose of performing this work.

Mr. MACDONALD. I understand that there is a proposition to sell those bonds in this country?

Mr. KAHN. Not that I know of. I have not heard of that. The Government of China proposes to do this work.

Mr. MACDONALD. I understand that the White Engineering Corporation, of New York, is interested in the work?

Mr. KAHN. They have been recommended by the Government as having performed work at Panama and in the United States for the Government of the United States to the satisfaction of the Government of the United States. The Government of China asked whether a concern could be recommended that would do the work at a reasonable cost and satisfactorily. I understand that this Government recommended that company and expressly stated that the Government itself could take no hand in it, but could only recommend.

Mr. MACDONALD. I would like to ask if there have not been some steps taken toward assuring the parties interested that it would be possible to raise the money on these bonds in this country?

Mr. KAHN. I have no knowledge on that score.

Mr. MACDONALD. I have no objection to the project. It seems to be a meritorious one, but the method looks like dollar diplomacy.

Mr. BARTLETT. Mr. Speaker, I do not desire to impede the passage of the gentleman's bill, but if it is to be taken as a precedent, it seems to me the request ought to be to consider the Senate joint resolution in lieu of the House joint resolution.

Mr. KAHN. That is exactly what I asked to do.

Mr. BARTLETT. I understood the Speaker to say "substitute."

The SPEAKER. The request is to consider it in lieu of the House joint resolution. The Chair was wrong in the statement of fact originally that the joint resolution was on the Speaker's table. It had been referred to the Committee on Military Affairs. Now the gentleman from California asks to discharge the Committee on Military Affairs from further consideration of the Senate joint resolution and consider it in lieu of the House joint resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I did not object to the consideration of this bill, but I can not say that I am enthusiastically in favor of it. I doubt very much the propriety of the Red Cross Association going into the business of public improvement. In this or any other country. So long as the Red Cross confines itself to giving aid in time of distress it probably will enjoy the confidence of all nations and of all peoples of the world and obtain generous contributions, but when it starts in to be manipulated, as will eventually happen if it pursues this policy, by men who are seeking franchises or concessions from foreign Governments, it will have ended its usefulness. We have plenty of work for the American Red Cross, or anyone else who knows how to prevent floods on the rivers, in the United States without going to China.

My friend from California [Mr. KAHN] says that this Hual River is overflowed three years out of five. Well, the lower Mississippi River has overflowed oftener than that in the last five years, but whether that be the case or not, somebody, somewhere, is going to endeavor to make a lot of money out of this proposition. Whether the Government of China issuing \$20,000,000 of bonds will expend that directly, or whether it will let a contract to people already known, I do not know. I was told by people who are favorable to this proposition that an arrangement had already been practically entered into by which work was to be done by contractors, or a contractor, in this great public undertaking and that it was desired to have the benefit of the experience of an engineer of the United States, and I do not doubt, although that was not added, the influence that would come from the United States Government through its President having designated an Army officer to look after the work. We may next have the Red Cross looking after the new river which has lately been discovered in South America, or the Amazon River. We may next have it endeavoring to prevent plague and famine by undertaking some kind of public work. That is not the province of the Red Cross. It has no right, in my judgment, to go into the business of public works, and if it does to any extent, it will have after it everyone who wants to get a railroad concession or a harbor concession or any other kind of a concession from a foreign government, because there is no project where it can not be claimed it is in the interest of health. I shall not oppose this resolution. I have the highest regard for the Red Cross and for its president, but I believe that it has made a mistake in reference to this matter, and I am very sure if it continues in this course it will soon end its usefulness.

Mr. KAHN. Mr. Speaker, the gentleman from Illinois [Mr. MANN] overlooked the fact that the charter of the American Red Cross authorizes that organization to look after the welfare of people not only in the United States but throughout the civilized world.

Mr. MANN. Oh, I did not overlook that fact, having helped to pass the Red Cross charter.

Mr. KAHN. That is one of the provisions of that charter.

Mr. MANN. Mr. Speaker, I will ask my friend a question, and that is whether he thinks the American Red Cross ought to get busy about the method of preventing the floods on the lower Mississippi River and tell this Government how to prevent it?

Mr. KAHN. If this Government were to ask the American Red Cross to take up that work, then I think the American Red Cross ought to get busy with it.

Mr. MANN. My information comes just the other way.

Mr. KAHN. The Government of China did ask the American Red Cross to help that Government do something to prevent those floods; the American Red Cross at that time suggested the services of Mr. Jameson, an engineer who had been in China for many years, and this engineer made quite an extensive survey which, I understand, materially aided the people of China in the preliminary work.

Mr. SELDOMRIDGE. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. SELDOMRIDGE. Is the request of the Government of China a matter of official record?

Mr. KAHN. I believe it is.

Mr. SELDOMRIDGE. It does not so appear in the report.

Mr. KAHN. I think in the letter of the Secretary of War favoring the proposition he said that it is desired by the Government of China. I had the report before me a moment ago. If the gentleman desires, I will read the letter of the Secretary.

Mr. SELDOMRIDGE. I would like to hear it.

Mr. KAHN. Mr. Speaker, this letter is addressed to Senator CHAMBERLAIN, and is as follows:

WAR DEPARTMENT,
Washington, April 4, 1914.

HON. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR: Referring to the proposed joint resolution authorizing the President, in his discretion, to grant leave of absence to an officer of the Corps of Engineers, United States Army, to assist the Republic of China as a member of a board of officers to be designated by the Republic of China to make an examination and report on the reclamation of Hual River, and thereafter to act as chief engineer of the Hual conservation work in China, to be appointed by the same authority, I beg to say that this joint resolution has been carefully considered by the Judge Advocate General and it fully meets with my approval. I believe the granting of leave of absence to an officer of the Corps of Engineers for this purpose will not only do a great and valuable work for China, but will be a testimonial of our friendly feeling for that country and a desire to be of assistance to her in this great humanitarian work.

Sincerely, yours,

LINDLEY M. GARRISON,
Secretary of War.

While the language of the letter does not show that the request was made by the Government of China, I understand that is the fact.

Mr. SELDOMRIDGE. There is nothing in the report, then, to indicate that the Government of China actually had made such a request?

Mr. KAHN. There is not.

Mr. SELDOMRIDGE. There is an intimation to that effect, but nothing direct.

Mr. KAHN. I understand, however, that such a request has been made by the Government of China, and, furthermore, there is an officer of the Chinese Government now on his way to Washington to consult with the officials of our Government about the matter.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. SPARKMAN. How long is this officer to remain over there?

Mr. KAHN. I presume so long as it will be necessary for him to make the necessary plans.

Mr. SPARKMAN. That is quite likely; but how long is it going to take to make the necessary plans?

Mr. KAHN. I do not know. The resolution itself provides that whenever the President of the United States desires or finds it necessary to recall the officer he may do so. This officer will be only one officer of several, the others to be appointed, of course, by the Republic of China.

Mr. SPARKMAN. The information is very clear, and I am very much obliged to the gentleman.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, my understanding is that it will be about three years.

The SPEAKER pro tempore (Mr. HAY). The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

HOMESTEAD ENTRY OF MINORS.

The next business on the Calendar for Unanimous Consent was the bill (S. 2419) permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, I object.

Mr. TAYLOR of Colorado. Will the gentleman withhold his objection?

Mr. MANN. Yes.

Mr. TAYLOR of Colorado. Mr. Speaker, by authority of the Public Lands Committee I am authorized to report this bill and place it upon the Unanimous Consent Calendar, with the hope that its importance would be recognized by everyone and that no objection would be made to its consideration at this time.

While the bill as it comes before us is a Senate bill, it is identical with my bill (H. R. 10838), and reads as follows:

That any minor of the age of 18 years or over, and otherwise qualified under the public-land laws, shall be permitted to make homestead and desert-land entries under and subject to the public-land laws of the United States: *Provided*, That no minor shall be eligible to make final proof upon any such entry until he or she shall have attained the age of 21 years.

There are many reasons why the Public Lands Committee and the Members of the House from the Western States believe the enactment of this law would be in accordance with sound public policy and in the interest of the development of the West.

The demands for the enactment of this measure come primarily from the Northwest, because of the fact that the Canadian public-land laws are so much more liberal than ours that our boys in the Northwestern States are many of them attracted to Canada because their laws allow an 18-year-old boy to acquire a home, and they are taking up the public lands of that Dominion in preference to our own. This measure was referred to both the Interior Department and the Agriculture Department for a report, and both of those departments have strongly indorsed it.

The newspapers and the public generally throughout all of the Western States have very heartily indorsed this measure. I have received hundreds of communications favoring it since I introduced the bill. And at the third annual conference of the western governors, held in Denver last month, the governors of all of the Western States went on record and unanimously resolved that—

We approve the plan now before Congress to permit homestead entries by persons over 18 years of age.

Mr. MOORE. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will.

Mr. MOORE. How much land would be reserved for a boy of 18 years of age?

Mr. TAYLOR of Colorado. One hundred and sixty acres.

Mr. MOORE. Did we not pass a law some time ago increasing the number to 320?

Mr. TAYLOR of Colorado. Yes; but that only applies to such lands as may be designated by the Secretary of the Interior as being entirely arid, lands that can not be irrigated. That does not change the general homestead law as to other lands.

Mr. MOORE. Does the gentleman know of any other instance in which the law recognizes a minor 18 years of age to be qualified to hold property?

Mr. TAYLOR of Colorado. Oh, if a minor is married he can take a homestead now.

Mr. MOORE. I know, but—

Mr. TAYLOR of Colorado. I will say this—

Mr. MOORE. He might hold title through a guardian or trustee?

Mr. TAYLOR of Colorado. The bill does not allow them to acquire title to the land until they are 21 years of age. It allows them to make a settlement upon the public domain.

Mr. MOORE. Does the gentleman know of any other instance in which the law makes an exception of this kind?

Mr. TAYLOR of Colorado. My idea in introducing this bill was to encourage our boys and girls in making a home, in getting a start in the world, and at the same time increasing the agricultural products of the country. The portion of our public domain now remaining open to settlement is very inferior to what it used to be. It is the land that has been passed over for 50 years and that no one would take.

Mr. MOORE. I know—

Mr. TAYLOR of Colorado. And my idea is that Congress should encourage our boys and girls to go on a farm and stay there.

Mr. MOORE. As I read the reports coming from the Interior Department and some of the speeches which emanate from that department, there seems to be a great desire to give land away, to dispose of it to somebody; but after it is given away we sometimes hear a great deal about its being gobbled up and turned over in some form or other to monopolists, resulting in investigations by Congress, at great expense to the people.

Mr. TAYLOR of Colorado. As a matter of fact, about 99 per cent of all this muckraking talk about fraud and monopoly of the public lands is pure buncombe; it is absolutely a bugaboo. There is no monopoly of agricultural land in the West to-day, and everyone who has a big farm is trying to cut it up and sell it off into smaller tracts. That is the tendency all over the West at the present time.

Mr. BURKE of South Dakota. I can also say to the gentleman there is not much land to be given away.

Mr. TAYLOR of Colorado. No. The land that is left is not, generally speaking, very desirable. It is either very difficult and expensive to clear or it is arid land that can not be irrigated.

Mr. BURKE of South Dakota. I will also say for the benefit of the gentleman from Pennsylvania the enlarged homestead act does not apply to North and South Dakota, and the purpose of this measure is to enable those 18 years of age to enter 160 acres as a homestead. It will enable families to acquire land sufficient so they can live upon land that is located mostly in arid or semiarid portions of the country. The lands are really only suitable for grazing purposes in most instances. If 18-year-old boys can take a homestead, it will encourage them to remain at home instead of going into the crowded cities.

Mr. MOORE. I want to say to the gentleman from South Dakota and also to the gentleman from Colorado, in passing, that when we hear in the East of these 160-acre tracts being given away, and of these tracts of 320 acres in arid or semiarid regions which it is now proposed to increase to 640 acres, we sometimes wonder why so many people are pressing to get arid and semiarid land in such large quantities when we have good, workable land along the Atlantic seacoast waiting for people to come and till it. I read only the other day a speech by the Assistant Secretary of the Interior intimating it was impossible for a man to keep a family on 640 acres of land—

Mr. TAYLOR of Colorado. If the gentleman will permit me—

Mr. BURKE of South Dakota. I want to remind the gentleman from Pennsylvania that the boys serving in the Navy and the Marine Corps are, many of them, not more than 18 years old, and their average age is about 20. I would like to ask him if he would say that those who recently gave their lives at Vera Cruz were too young to file a homestead? I would encourage our boys to remain at home and stay on the farms instead of enlisting in the Army and the Navy; and surely if a boy is old enough for military service he ought to be eligible to file on the public domain.

Mr. MOORE. That is a very fine and very patriotic utterance of the gentleman from South Dakota, and I quite agree that a majority of those serving at Vera Cruz are about 21 years of age and that many of those who laid down their lives for their country were but 20 years of age. We are very proud of them. But it is somewhat anomalous for us to be passing laws constantly that prevent boys and girls from going to work until they are 16 or 17 years old and then at 18 years of age saddle them with the responsibility of 160 acres on which to remain—

Mr. TAYLOR of Colorado. There is nothing compulsory about this bill. It merely furnishes an opportunity to boys and girls to get a start in the world—to have something to work for. It is a chance to work and at the same time make a home. There are many thousands of boys who have to support themselves from and after they are 18. The clearing of a farm and building a home is healthful work and much better for a boy in most cases than going to the city and hunting a job.

Mr. MOORE. You pass laws to prevent them from working, and then would pass laws to permit them to acquire property and force them to earn a living.

Mr. STEPHENS of Texas. In Texas we have reserved 640 acres of land, and we find that they are taking them up very rapidly.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. TAYLOR of Colorado. While our Government has in former years been extremely generous in the disposition of the public lands, yet everyone from the West or Northwest knows that in recent years the regulations of the Department of the Interior in regard to the qualifications for entry, residence, and

improvements on lands entered under the homestead and desert-land laws have often been harshly strict in their requirements. The interpretation of the law during recent years has also frequently been unreasonably burdensome; and the homestead settlers have not only been held to a literal compliance with the law, but to a strict and technical compliance with many regulations, some of which have been impractical and have often caused a forfeiture of their rights or worked a very great inequitable and unwarranted hardship upon the poor but bona fide settlers upon the public domain. The ever-present special field agents and inspectors have been on hand to protest any proof offered where it has been thought the settler has not fully and technically complied with all the requirements of the law and regulations with respect to residence, cultivation, and improvements.

Until the act of June 6, 1912, a residence of five years was required under the homestead law before the settler was permitted to make final proof and receive patent. Under the law as it always has been and now is one of the qualifications for entry is that the entryman shall be the head of a family or of the age of 21 years. The act of June 6, 1912, reduces the period of residence from five to three years "from the time of establishing actual, permanent residence upon the land." The requirements of this law and the department in regard to cultivation are much more strict and expensive than under the old five-year homestead law.

The richest and most fertile of the agricultural lands belonging to the public domain in all the Western and Northwestern States were taken many years ago, and now we only have left lands that have for the past 50 years been passed over as being too expensive to clear or not worth taking. Under the laws existing from 1876 until 1890 a qualified settler had, as it was termed, his "three rights." First, a preemption right provided for by section 2259 of the Revised Statutes of the United States, under which he could acquire title to 160 acres of land by six months' residence and cultivation and on payment of \$1.25 per acre; second, a timber-culture entry right, under which he could acquire title to 160 acres of land without residence thereon and by cultivating 10 acres thereof to trees, and at the end of 8 years, and not exceeding 10 years, paying the land-office fees, amounting to the sum of \$14; and, third, his homestead right under section 2289, Revised Statutes, whereunder he could acquire a patent to a homestead of 160 acres after 5 years' residence and cultivation and upon the payment of the land-office fees of \$14. He had, under the law, the privilege of making commutation proof on his homestead after 6 months' residence and cultivation, and in case of commutation he was required to pay in addition to such land-office fees the sum of \$1.25 per acre, the same as in the case of a preemption. If the entryman had served as a soldier in the War of the Rebellion, his period of service was credited on the time he was required to reside on his homestead.

But with the passing into private ownership of the best public lands and the consequent upbuilding of all the great Western States by the owners of those lands the liberal land laws and liberal construction thereof of earlier days have also passed into history and the homesteader of to-day is confronted with an entirely different situation.

The timber-culture law has been repealed. The preemption law has been repealed, excepting as to a few very small tracts of Indian reservation land. There were only 22 preemption entries made in the United States during the past fiscal year.

The stone-and-timber law has been practically rendered inoperative by regulations. There were during the last fiscal year only 946 final entries made under that law in the United States.

The isolated-tract law, one of the most beneficial laws on the statute books, has likewise been practically nullified by regulations. The entries do not seem to be reported, but the total number during the last year was probably much less than 500.

The desert-land law was years ago attended with considerable irregularities and some fraud, but in recent years it has, owing to regulations, been attended with so much hardship that it is also becoming unimportant. Throughout the entire United States there were only 2,102 final desert-land entries made during the last fiscal year.

The enlarged-homestead act applies only to certain nonirrigable land in the semiarid portions of certain States, and the Kinkaid Act applies to only a portion of western Nebraska. There were only 737 final mineral entries and 76 coal-land entries in this entire country during the past fiscal year, ending June 30, 1913.

So that with the above comparatively negligible exceptions there is not, and has not been for several years past, any other method of acquiring title to any portions of our agricultural or nonmineral public domain except through homestead entry,

with the very strict requirements of that law and the regulations thereunder. The records of our General Land Office show in a very striking way the marvelous benefits of a liberal homestead law. During the first year after the passage of the three-year homestead law the final homestead entries throughout the United States more than doubled. During the fiscal year ending June 30, 1912, the total homestead entries throughout the United States were 24,326, covering 4,306,068 acres of land. The three-year homestead law was passed on June 6, 1912, and during the fiscal year ending June 30, 1913, there were in the United States 53,252 final homestead entries made, covering more than 10,000,000 acres of the public domain; and notwithstanding that this law requires much more cultivation and improvements than the old five-year homestead law.

While there will probably be some less homestead entries during the present fiscal year, the above figures conclusively show the benefits of that law and illustrate why it is that hundreds of thousands of our citizens go to Canada to obtain a home.

The most desirable portions of the agricultural lands having been selected and entered many years ago, and the lands opened for homestead settlement for the last several years being in that part of the country where there is liable to be in any year or through a series of years an insufficient rainfall for the successful raising of crops, it is hardly to be expected that such lands would be taken and occupied unless conditions in regard to qualifications for entry, residence, and cultivation were otherwise favorable.

The opening up for homestead settlement of the rich agricultural lands in the three great Canadian Provinces of Manitoba, Saskatchewan, and Alberta, has been in itself an inducement for the emigration of citizens of many States, especially those along the Canadian border, into Canada in order that they might acquire title to land and make for themselves a home.

But the greatest inducement for such emigration is found in the more liberal land laws of the Dominion of Canada. Under our law the young man must be at least 21 years of age before he can make homestead entry, while under the Canadian law he is permitted to make such entry on arriving at the age of 18 years.

Realizing that the State of South Dakota, as well as other States, was being deprived of some of our most enterprising and ambitious young men by reason of the better opportunities afforded them in Canada, the South Dakota Legislature, on the 8th day of March, 1913, passed a house joint resolution memorializing Congress to amend the homestead law so as to permit male minors over 18 years of age to make entry. The recitals preliminary to the resolution are significant; they are:

Inasmuch as many young men 18 years of age and under 21 years of age are self-supporting, and, further, inasmuch as the Canadian homestead laws permit male minors over 18 years of age to make homestead entry, etc.

The resolution then proceeds to memorialize Congress "to amend the homestead laws to permit male minors 18 years of age or over to make homestead entry under the same conditions as if they were over 21 years of age."

That memorial is certainly most timely, and it is deemed of the utmost importance that Congress should pass a law which will afford to those desiring to make homes on the public lands open for settlement opportunities as nearly equal as possible to those afforded by an adjacent foreign Government with a soil equally if not more fertile than the soil of any of the lands yet available within the borders of the United States.

A comparison of the land laws of the Dominion of Canada with those of the United States shows many other beneficial features and far greater liberality in the settlement and occupation of homestead lands than such as pertain merely to the age at which homestead entry may be made.

Thus, section 106 of the Dominion lands act of 1906 (vol. 2, Revised Statutes of Canada) permits any male person who has attained the age of 18 years to make purchase of any land which had theretofore been sold to a purchaser and who had failed to comply with the conditions of sale and whose purchase has therefore been canceled, such purchase to be for a price fixed by the minister, but at not less than \$1 per acre. Residence and cultivation upon said land must be as provided in the homestead law. Section 109 of said statutes provides that every person who is the sole head of a family and every male who has attained the age of 18 years who makes application according to a certain prescribed form is entitled to obtain homestead entry for any quantity of land not exceeding one quarter section, the land to be of a class open to homestead entry under the provisions of the act. The privilege of homestead entry applies to agricultural lands only.

Final proof may be made at the expiration of three years from the date of entry. No patent, however, may issue to any

person who is not a subject of Great Britain by birth or naturalization.

It will be seen from this that the homesteader who has emigrated to Canada from the United States must, in order to obtain a homestead, cease to be a citizen of the United States and become a citizen and subject of a foreign country.

The law in regard to the proof of residence and cultivation is evidently more liberal than our own homestead laws. Section 126 provides that—

Proof of residence or cultivation required by the three last preceding sections of this act, and of the erection of a habitable house, shall be made by the claimant by affidavit, and shall be corroborated by the evidence on oath of two disinterested witnesses resident in the vicinity of the land to which the evidence relates, and shall be subject to acceptance as sufficient by the commissioner of Dominion lands or the Dominion lands board; and such affidavit shall be sworn and such evidence given before the local agent or his senior assistant, or before some other persons named for that place by the minister.

The Canadian law has the further liberal provision that—

If the father (or the mother if the father is deceased) of any person who is eligible to make a homestead entry * * * resides upon a farm in the vicinity of the land entered for by such person, the requirements * * * as to residence prior to obtaining patent may be satisfied by such person residing with the father or mother. (Sec. 131, Dom. Lands, Rev. Stat., 1906.)

The Canadian laws also make provision for the settling of homesteaders together in a hamlet or village in numbers embracing at least 20 families, with a view to greater convenience in the establishment of schools and churches, and in such cases the minister is permitted to vary or dispense with the requirements of the law in regard to residence. (Sec. 121, Dom. Lands, Rev. Stat., 1906.)

And if any settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements of the law in regard to residence may be satisfied by residence upon said land. (Sec. 132, Dom. Lands, Rev. Stat., 1906.)

The reason for the emigration of our young men and citizens to Canada is easily found in these liberal provisions of Canadian homestead law, and in the prospect of securing title to lands equal, if not superior, to any now remaining in our public domain and open to homestead settlement.

The records show that it is now, and has for several years, been a serious question with any prospective homesteader of full age as to which of the two offers he will accept, namely, that of the United States, permitting him to enter any quarter section yet open for settlement under our homestead laws and present regulations with the conditions they impose, or that of the Dominion of Canada, under the prospects and liberal conditions there existing.

It should not be a matter of wonder that hundreds of thousands of such prospective homeseekers have accepted the latter proposition, even though it involved a renunciation of their American citizenship.

But with the minor of 18 years of age desirous of acquiring land, which everybody knows he is capable of improving and cultivating, there is no choice. He must emigrate to Canada or remain without the land.

The figures showing the numbers who have emigrated to Canada during the last 10 years are somewhat startling.

On January 28 of the present year Mr. William J. White, being a witness before the lobby investigating committee of the Senate, in answer to questions propounded by Senator NELSON, said:

Senator NELSON. What is the number of the immigrants that have come from the United States to your Provinces during the last 4 or 5 years or the last 10 years?

Mr. WHITE. This last year, up till November, there were about 115,000. Last year, up to the present time, there were about 141,000. The year before that there were about 110,000, and the year before that the same. It has been running along about 100,000, last—

Senator NELSON. Ten years, has it not?

Mr. WHITE. It has been running about 100,000 for the last five years. Last year—that is, the fiscal year ending March, 1913—was our largest year. There were about 141,000.

Senator NELSON. And for the last five or six years the general average has been 100,000?

Mr. WHITE. Yes; about 100,000.

Senator NELSON. And how many have you gotten in all from the United States in the last 10 years, we will say?

Mr. WHITE. Our records will show that we have had about 800,000. Some of them have been going back and going into Montana and taking up homesteads in Montana, and we may not have as many as 800,000.

Mr. White is the agent and representative of the Canadian Dominion, and is, or was at the time of giving his testimony, in charge of the advertising, and had been in charge of such advertising for a number of years, and according to his statement, his Government spends between \$60,000 and \$70,000 a year in such advertising. (See pp. 4686-4690 of hearings.)

In view of all these conditions the committee believes the time is at hand when the Government, as a matter of wise public policy, should adopt a more liberal rule as to the disposition of its remaining agricultural lands.

While the South Dakota memorial related only to male persons of the age of 18 years, yet your committee, recognizing the fact that under the general homestead law of the United States females of the age of 21 years, and otherwise qualified as to citizenship, and so forth, may make entries of the public lands, deems it advisable to extend the provisions of the law in regard to age to them as well as male persons.

The bill with the amendments reported by the committee confining its operation to homestead and desert-land entries, is along the line of a more just and liberal policy of encouraging homebuilding by our boys and girls.

Those 800,000 American citizens who have expatriated themselves for a home were the farmers and young men, the bone and sinew, the best citizenship of this country, and their loss to our country is beyond the possibility of any estimation. They are the kind of people we most need at this time. With our agricultural productions decreasing at a terrific and alarming rate, as compared with our increase in population; with our high cost of living still getting higher; with our 665,891,029 acres of unappropriated and unreserved public domain, besides 165,000,000 acres of forest reserves, all of which is producing comparatively nothing and costing millions of dollars a year to supervise, it would seem as though it is time to change somewhat our public-land policy and allow at least the agricultural portions of this land to go into private ownership and be used for the homes of our citizens and the production of agricultural crops. It is not only a colossal financial blunder, but an outrage against the present generation, to hold all of that imperial domain in idleness for future generations when every township of cultivated land increases the wealth of the State a million dollars every year.

The most beneficial use is the only kind of conservation that should be practiced by our Government. It is not conservation of agricultural lands to make no use of them, except for grazing purposes, and keep them in the barren state in which they have existed for thousands of years. Let us cease driving good American citizens to Canada for land. Let us give our people a home on our public domain and welcome them to an abiding place under our own flag.

Mr. SELDOMRIDGE. Mr. Speaker, I regret that the gentleman from Illinois [Mr. MANN] has objected to the present consideration of the bill permitting minors of the age of 18 years or over to make homestead or other entry of the public lands. In my opinion, there can be no valid objection to this bill. It is advocated by Representatives from Western States and has been passed by the Senate. It would encourage further settlement of vacant Government land, and enlarge the productive forces of the Nation; it would give to many American youth the incentive to make and acquire homes. The city as well as the country boy would take advantage of this legislation. It would stimulate home building and develop worthy traits of character. The farmer's son is often obliged to leave the country to make his way in the city. He passes from the producing to the consuming class. He should be encouraged to remain in the country. The Government can well afford to be generous in its disposal of the public lands when our American boys are to be the beneficiaries. The title will not pass from the Government until the entryman shall have reached the age of 21. I would like to support a bill more liberal in its terms than the measure now before us. I would favor a provision allowing the entryman to reside with his relatives within 10 or 15 miles of the tract filed upon, provided the requirements for cultivation and improvements were observed. I realize that such a liberal measure would not be considered and was therefore in hopes that this bill would not meet with any objection and would become a law. In the face of the generally recognized fact that tenancy is increasing at a marked ratio throughout the country, and that the Government through various agencies is endeavoring to cultivate a policy of agricultural development, I can not understand why any Member of this House should oppose this legislation. The public land remaining for settlement is largely located in the arid region of the West. Its cultivation requires intelligent and patient effort. I contend that the young men who have been reared in that section, who understand the proper methods of cultivation and realize the difficulties to be overcome, are better fitted to occupy and develop this land than the residents of other sections or those who have recently come to us from across the sea. I am still hopeful that the Committee on Rules will see fit to bring this bill before the House under a special rule when the objection of a single Member will not prevent its consideration and passage.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, reserving the right to object—

Mr. MANN. I ask for the regular order.

Mr. STAFFORD. Then I will not object.

Mr. MANN. Has my request been submitted?

The SPEAKER pro tempore. It has, and the request was granted.

Mr. RAKER. Mr. Speaker, I rise for the purpose of asking unanimous consent to extend my remarks in the Record on this bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

SALES BY ARMY TO MILITARY SCHOOLS AND COLLEGES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9042) to permit sales by supply departments of the Army to certain military schools and colleges.

The bill was read, as follows:

Be it enacted, etc., That, under such regulations as the Secretary of War may prescribe, educational institutions to which an officer of the Army is detailed as professor of military science and tactics may purchase from the War Department for cash, for the use of their military students, such stores, supplies, matériel of war, and military publications as are furnished to the Army, such sales to be at the price listed to the Army with the cost of transportation added: *Provided*, That all moneys received from the sale of stores, supplies, matériel of war, and military publications to educational institutions to which an officer of the Army is detailed as professor of military science and tactics shall respectively revert to that appropriation out of which they were originally expended and shall be applied to the purposes for which they are appropriated by law.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

This bill is on the Union Calendar.

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. McKELLAR. Mr. Speaker, the purpose of this bill is to permit sales by the supply department of the Army to certain military schools and colleges. As said in the report:

This bill is designed to help perfect a detail in the operation of the long-approved plan of the United States to encourage, in various institutions of learning throughout the country, the practical instruction of young men in the military policy of the Nation, and in such forms of elementary military training as may help them the more readily to adapt themselves to actual service in the Volunteer Army in the emergency of war. This is a recognized part of the American policy of avoiding the burden of a large and expensive standing army, while at the same time instilling into the youth of the land a proper understanding of the true martial spirit and military efficiency that the country must rely upon from its great body of citizenship in such a crisis.

There are at present in the United States approximately 100 military colleges and schools under the supervision of the War Department giving such instruction to 28,000 of our young men. These young men in the course of time become the center of great influence as citizens, and, if necessary, citizen soldiers.

The bill has the commendation of the War Department.

Mr. Speaker, to my mind, the bill is a most meritorious one. Any measure that has for its object aid to education of the youth of our country meets my most hearty approval. We ought to train even more young men than we now train in these institutions; and, in my judgment, the National Government ought to organize more educational institutions in which the youth of our country may be given a military training and at the same time an excellent college training.

Be that as it may, the institutions that are already being aided by the Government ought to be further aided by being permitted to buy their supplies at the cheapest possible price, as provided for in this bill. The bill was introduced by the distinguished chairman of the Military Committee, Mr. HAY. Mr. GREENE of Vermont, who made the report, is temporarily out of the city, at West Point, on official duty there.

I hope the bill will pass.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. McKELLAR, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

INVESTIGATION OF VESSEL AND STEAMSHIP LINES.

The next business on the Calendar for Unanimous Consent was House concurrent resolution No. 35, directing the Interstate Commerce Commission to investigate and report facts regarding ownership, organization, operation, and rates of vessels and steamship lines engaged in transporting freight between the Atlantic and Pacific coasts.

The resolution was read, as follows:

House concurrent resolution 35.

Resolved, etc., That the Interstate Commerce Commission be, and hereby is, authorized and directed to immediately investigate and, as soon as practicable, report to Congress the following information:

1. To what extent, if any, vessels and steamship lines are engaged in transporting freight between Atlantic and Pacific ports wholly by water, or partly by water and partly by rail, and in the coastwise trade of the United States, under joint ownership or common control or in community of interest, directly or indirectly, by stock ownership, trust, holding committee, or otherwise, with railroad companies engaged in transporting freight by rail between the Atlantic and Pacific ports of the United States and in the coastwise trade of the United States, stating separately what vessels and steamship lines are owned and controlled by said railroad companies, if any, and what vessels and steamship lines in said transportation are under a common or joint ownership or control with said railroad companies, or any thereof, and the names of the owners, stockholders, trustees, holding committees, directors and officers of all steamship lines and railroads engaged in the coastwise and foreign trade of the United States. And to what extent and how, if any, they are consolidated, directed, or operated by and through holding companies, interlocking stock, interlocking directorates, or interlocking officers.

2. What are the prevailing rates upon the principal commodities carried by vessels between said Atlantic and Pacific ports of the United States wholly by water or partly by water and partly by rail across the Isthmus of Panama or Tehuantepec, and what are the prevailing rates between said Atlantic and Pacific ports upon such commodities transported wholly by rail and what are the prevailing rates for transportation of similar commodities wholly by water by vessels not under United States registry for similar distances as the water routes between said Atlantic and Pacific ports of the United States carried under similar conditions.

3. And what are the prevailing rates upon the principal commodities carried by vessels in the coastwise trade of the United States in comparison with such rates on similar commodities for similar distances carried by vessels in the foreign trade of the United States.

4. And what are the prevailing rates for transportation for similar commodities wholly by water by vessels not under United States registry for similar distances on similar commodities under similar conditions in comparison with the rates on commodities transported in the coastwise trade of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution?

Mr. RAKER. Mr. Speaker—

Mr. MANN. Mr. Speaker, reserving the right to object, the Senate has already passed a resolution of this sort. What is the object of this, may I ask, now?

Mr. ADAMSON. That occurred since we reported this resolution, and it seemed to me, as the committee was getting up the information, we could just amend it and make it a House resolution.

Mr. MANN. I do not see any object in passing it at all. If there is any object, what is it? The Senate passed a similar resolution.

Mr. ADAMSON. I yield to the gentleman from Texas [Mr. HENRY], the author of the resolution.

Mr. HENRY. Mr. Speaker, the Senate put an amendment on it that left the commission a little more freedom than this does. I think it should be mandatory that they make this investigation and make a report of the same to Congress. I think it would be of great value, not only in legislating on the tolls question but on the entire rate question.

Mr. MANN. The gentleman has committed himself on the tolls question and expects to have legislation before this report can be made.

Mr. HENRY. There is a lot of information that can be compiled and sent to this House that will be of great value on the rate question, on the stock-and-bond law, and other things, and I think if the Interstate Commerce Commission will furnish us the information it will be of great advantage.

Mr. MANN. Mr. Speaker, the Interstate Commerce Commission has more work on its hands now than any other governmental institution or body in the world. It is very much behind with its work, has various cases pending before it which it ought to determine at the earliest possible moment. It has no knowledge or information itself about most of the matters called for in this resolution.

Mr. HENRY. If the gentleman will permit me just a moment, before introducing the resolution I talked with some members of the Interstate Commerce Commission. Permit me

to read a letter from the chairman of the Interstate Commerce Commission, which, of course, reflects the views of the commission:

INTERSTATE COMMERCE COMMISSION,
Washington, April 14, 1914.

HON. WILLIAM C. ADAMSON,
House of Representatives, Washington, D. C.

MY DEAR MR. ADAMSON: I presented to the commission in conference this morning your letter of the 8th, inclosing a copy of House concurrent resolution 35. I am directed by the commission to say that we see no objection to the passage of the resolution. Much of the information called for is already in the possession of the commission, and as soon as possible will be made available for use under the resolution. The other information, in case of the passage of the resolution, will be obtained by the commission so far as practicable and as promptly as possible.

I write this letter to confirm what I said to your secretary over the telephone this morning.

Very truly, yours,

JAMES S. HANLAN, Chairman.

The commission is ready and willing to undertake this investigation. It will not take very long. They have some information at hand and other things within easy reach, and it will be compiled in such form that it will throw a flood of light on many important problems that are to be dealt with during the next two or three weeks in this House. So I hope the gentleman will not object to it. It does not bear alone on the tolls question, but on the general question of regulating freight rates and regulating common carriers, matters of very great importance to the people of the country.

After giving the subject considerable study and conferring with members of the commission, I am satisfied within two weeks or less time we will have information that we will be glad to have in our possession.

Mr. MANN. Mr. Speaker, I have had a long and intimate acquaintance with the work of the Interstate Commerce Commission and with many of the Interstate Commerce Commissioners. I know if this resolution should pass and they should make investigation in conformity with the spirit of it, they could not make a report inside of two or three years, and then they themselves would not make the investigation. They would employ some clerk or expert, or prejudiced or unprejudiced opinioned individual to make the investigation. The Interstate Commerce Commission has now work that it ought to perform which it is physically impossible for the members themselves to do and which they are required to turn over to employees.

But that is on the merits of the proposition. The Senate has already directed, though I do not think they have such authority, the commission to make this investigation, and if the commission wants to make it they will make it under the Senate resolution. The tolls question was the only excuse for it, possibly, in the first place, over in the Senate, and if the Senate wants the information after they have passed the tolls bill, very well.

Mr. HENRY. I had some other ideas besides the tolls question.

Mr. MANN. The gentleman knows the Interstate Commerce Commission does not have jurisdiction over the coastwise trading vessels of the United States, in the main.

Mr. HENRY. They have to a certain extent, you will recall.

Mr. MANN. They have to a very, very limited extent.

Mr. HENRY. Well, there was a provision in the act that we passed here several years ago providing that they should determine—

Mr. MANN. I drew the provision, and I know what it is.

Mr. HENRY. And I have read it frequently. They are to determine what ships are controlled by the railroads. That is their business under the amendment that the gentleman drew.

Mr. MANN. And this is to exercise certain control over vessels that carry freight part way in connection with another route, part of which is a railroad. Now, we had an investigation made by a very distinguished committee in this House, presided over by the very able gentleman from Missouri [Mr. ALEXANDER], who probably can give us cards and spades, so far as information on this matter is concerned.

Mr. ALEXANDER. I will say that I have sworn returns from all the railroads with reference to their ownership and control of ship lines in my files, and they will be available to the Interstate Commerce Commission or to the House, if necessary.

Mr. HENRY. But they have not been printed or compiled?

Mr. ALEXANDER. They are all in printed volumes in my office.

Mr. MANN. The committee made a long report on that case.

Mr. ALEXANDER. My cabinet is full of them. There are two or three hundred of those reports. We could not embody them all in our printed reports, but they are available to the House or the Interstate Commerce Commission. I am not opposing this resolution.

Mr. HENRY. I understand. If the gentleman will allow me, I will state that I talked with his expert, Dr. Hoebner, who stated that he did have a lot of this information, and much of it was given in a confidential way, and he would not feel authorized to release it, and it ought not to be published. Now, if we can get that confidential information and have it furnished to the Interstate Commerce Commission, it will be of very great value to this House and to the country; and I deem it important that we let this resolution pass, and let the Interstate Commerce Commission gather the facts from the reports and confidential files or from the files that have not been compiled, and put them in tangible form, so that we can take them up and study them.

Mr. MANN. The Interstate Commerce Commission is not the proper body to make an investigation of this kind. They do not have jurisdiction over these ships in the main. They can not make the investigation themselves. The members of the commission do not have the time. There is plenty of work for that commission to perform.

Mr. HENRY. They are willing to undertake it.

Mr. MANN. Oh, they are willing to undertake what Congress directs them to do, and they seldom will say publicly that they do not think it ought to be done, but privately they say that they do not think they ought to be required to make so many investigations, in which opinion I largely agree.

Mr. ALEXANDER. Mr. Speaker, I wish to say one word in relation to the confidential nature of any information in the possession of the Committee on the Merchant Marine and Fisheries. It does not apply to any of these reports. We sent out about 3,000 inquiries to the principal shippers of this country with reference to their attitude toward the steamship conferences and agreements, and in order to protect them and to get a full and frank statement of their views on the subject we assured them that their names would not be disclosed, but that their statements, of course, would be used by the committee in making its report, and I may say that was done; but so far as the reports made by the railroads and steamship lines are concerned, they are available. And I will say, too, that the Interstate Commerce Commission officials have on a number of occasions sent to my committee room and I have given them access to the files, in connection with other questions that have been under consideration by the Interstate Commerce Commission.

Mr. FALCONER. Mr. Speaker, if the gentleman from Illinois will withhold his objection, I want to say that one of the very sweetest morsels, one of the things that was rolled around the tongues of the Democratic free-toll repealers most, was the subject of the ship subsidy and the ship monopoly controlling rates. The gentleman from Texas [Mr. HENRY] used that argument in his debate favoring the repeal of free tolls.

The gentleman from Texas, I believe, is entirely consistent in offering this resolution, which provides for an investigation to ascertain whether a ship monopoly exists. The gentleman from Illinois [Mr. MANN] and those who viewed the tolls matter with him did not give much credence to the argument that there was a shipping monopoly or that shipping interests would be benefited by free tolls, and the gentleman from Illinois, it seems to me, is very inconsistent in opposing this resolution. There is no reason why we should not investigate the matter. The people of the country—at least those who have confidence in the Democratic Party and the Democratic arguments that have been advanced in the ship tolls debate—believe there is a ship monopoly and that it will have much to do with the freight rates between the Atlantic and Pacific coasts, and I see no reason why the Congress should not pass this resolution. I hope it will do so.

Mr. MANN. Mr. Speaker, the gentleman from Washington [Mr. FALCONER] has not been long enough here to have gathered sufficient information to know very much about the Interstate Commerce Commission either in the past, present, or future.

Mr. FALCONER. I will say to the gentleman from Illinois, Mr. Speaker, that I have not been here for a great number of years, but I have been engaged in legislative work for some 10 years, and I admire the ability of the gentleman from Illinois; if his ability is exceeded by anything, it is by his nerve and his egotism.

The SPEAKER pro tempore. Is there objection?

Mr. HENRY. Mr. Speaker, I hope the gentleman from Illinois will withhold his objection for a moment.

Mr. MANN. I will do it as I did for the other gentleman—under personal abuse.

Mr. ADAMSON. Mr. Speaker, I hope the gentleman from Illinois will not charge any of that to any of us. I have not indulged in any such thing.

Mr. HENRY. Here is what I was going to say about this matter: This House needs in compact form the information

called for in the resolution. I have said and do believe that there is a shipping monopoly, and that if the Interstate Commerce Commission is allowed to make an investigation and secure the names of the men who own the railroads and the ship lines it will be demonstrated when their names are laid before the House and the country that there is such monopoly controlled by certain railroads and ship companies.

Now, that is the first thing, to wit, calling for these names. In the next place the resolution calls for a comparison of rates charged in the coastwise shipping and on seagoing ships. That is to say, it will show that the ships engaged in the coastwise trade, in transporting similar commodities for similar distances and under similar conditions, secure five or six times as much in their freight charges as the ships on the high seas. In other words, where a ship on the high seas gets \$5 per ton for the same distance upon the same commodities and under similar conditions the ships in the shipping trust get five or six times that amount.

Now, what we wish to do is to have the Interstate Commerce Commission look into these things and investigate them and report them to this House, and all these things that I have stated will be verified, and we will have them here for our benefit as we legislate. Why should we be afraid to face these facts? Why not get them? Why not let the Interstate Commerce Commission, with its experts, with its knowledge, give us all these facts, as I feel sure they exist? It is a very important resolution, and the gentleman from Illinois [Mr. MANN] ought not to stand in the way of it. With this tolls fight on in the Senate and in the country everywhere, he ought to be willing to discover every fact and all such transactions in order that we may thoroughly uncover this hideous monopoly.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HENRY. I do.

Mr. STAFFORD. The Senate having passed a similar resolution calling for these very same facts, what advantage would be gained by the House passing this resolution to-day?

Mr. HENRY. The Senate passed a resolution asking the Interstate Commerce Commission to send out circulars and find out things. This resolution calls on the Interstate Commerce Commission to make a genuine investigation.

Mr. MADDEN. Does the gentleman think that if the information which is sought for by the resolution is obtained, it will disclose a state of facts which will justify the action of the House in the repeal of the free-tolls proposition?

Mr. HENRY. I think it will absolutely demonstrate it, and prove it beyond the peradventure of a doubt.

Mr. MADDEN. Then I hope it will be passed.

Mr. HENRY. I hope so, too.

Mr. ADAMSON. I will ask the gentleman if he does not think the objection of the gentleman from Illinois [Mr. MANN] will be an admission on his part that we are right in that contention?

Mr. MANN. Since gentlemen have taken so much time to jump on me, I just want to say a word.

Mr. HENRY. I have not jumped on you.

Mr. MANN. The gentleman from Texas [Mr. HENRY], who is chairman of the Committee on Rules, who could have brought in a rule on this subject, as he has on others at various times, now seeks to put odium upon me for objecting to this resolution, which is silly on its face. The Interstate Commerce Commission is not the body to make the investigation. The gentleman says he wants the information for consideration on the tolls proposition.

Mr. HENRY. If you will stand out of the way, we will show whether it is silly or not.

Mr. MANN. I did not interrupt the gentleman. Can not the gentleman be quiet for a moment!

The resolution is silly. So far as obtaining this information for consideration on the tolls question, the House has passed the tolls bill with the aid of the gentleman. I did not vote for it. The information contained in this resolution can not be secured by the Interstate Commerce Commission inside of several years. If there be a shipping trust in violation of the Sherman antitrust law, as gentlemen have stated, why does not the Attorney General prosecute it, instead of the gentleman endeavoring to give immunity to it by having an investigation and calling them to testify. I do not know whether there is a shipping trust or not, but if there is I do not want to give immunity to the men who are engaged in it. The Democratic Attorney General had better be engaged in prosecuting this shipping trust which so many gentlemen allege to exist. I do not know. I heard many distinguished gentlemen say they favored the repeal of the tolls-exemption bill because a shipping trust would get the benefit of tolls exemption. If there is a shipping trust, why does not somebody prosecute it? We will

give to the Attorney General all the money he wants for all the men he wants to make investigations of this kind and to prosecute the offenders. I am perfectly willing to give to any commission or committee the power to make a proper investigation by proper officials.

Mr. HENRY. Will the gentleman yield?

Mr. MANN. Yes.

Mr. HENRY. You say you will give to the Attorney General all the power and money he wants. Why not give him these facts, that the Interstate Commerce Commission say they are ready and willing to give the House, and then we can furnish them to the Attorney General. Why stand in the way of it for a moment?

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. COOPER. Will the gentleman withhold his objection just a moment?

Mr. MANN. Yes.

Mr. COOPER. In view of what the gentleman from Texas [Mr. HENRY] said about a so-called "shipping trust," I desire to read to the House what a very distinguished Democrat had to say on that subject in a speech in the Senate on Saturday last. I refer to the great speech of Senator WALSH of Montana, a distinguished Democrat, who was the secretary of the committee on resolutions which prepared and reported the platform of the last Democratic National Convention, a committee of which Mr. Bryan, now Secretary of State, was also a member. Senator WALSH was also the secretary and Mr. Bryan a member of the subcommittee of 11 which first adopted the plank for the exemption from tolls of American ships engaged in coastwise traffic passing through the Panama Canal. The Senator was likewise the secretary and Mr. Bryan a member of the subcommittee of four selected to put the platform into appropriate form and language.

The Senator declared that two circumstances fastened themselves upon his mind, indicating that the plank exempting our coastwise traffic from the payment of tolls had the particular attention of the committee aside from the attention that was necessarily given it in the reading of the entire platform. He said that when the tolls plank was presented Mr. Bryan expressed his approval, and then suggested an additional plank excluding railroad-owned ships, and it was adopted in the following language:

We also favor legislation forbidding the use of the Panama Canal by ships owned or controlled by railroad carriers engaged in transportation competitive with the canal.

And the Senator from Montana called particular attention to the word "also"—we "also" favor—in the resolution of Mr. Bryan, which word clearly shows that Mr. Bryan had in mind and approved the tolls-exemption plank when he suggested the plank which follows it.

I will now read the Senator's words concerning the alleged shipping trust. I commend this masterly speech to every Member of the House:

Of a piece with the talk about subsidy is the appeal to popular prejudice by ascribing to some mythical "shipping trust" the enjoyment of the advantages accruing from the existing act.

What is this "shipping trust" which is to send its vessels through the Panama Canal from our ports on the Atlantic to our ports on the Pacific? Who is at the head of it? By what name is it known? What is the nature of its organization?

Reference is made to the report of the House Committee on Merchant Marine and Fisheries to the effect that 92 per cent of the coastwise shipping is controlled either by railroads or by combinations of one kind or another, the fact being that it referred entirely to line steamers and not to tramps at all. How much of that 92 per cent will go through the canal? It includes the greater part of the shipping on the Great Lakes. It includes the barges and ferries that connect the railroad terminal at Jersey City with New York. It includes the craft that carry railroad cars between the Virginia Capes. It includes the Southern Pacific steamers that ply between New Orleans and New York. Why particularize further? There are, according to Prof. Emory R. Johnson, who gives facts here, not opinions, now in existence steamers that are likely to make use of the canal in the coastwise trade, 24 of the American Hawaiian Line; 3 of the Grace Line; and 6 belonging to the United States, operated by the Isthmian Canal Commission or the Panama Railroad Co. That is all that will engage in the general trade.

I stop reading from the speech of the distinguished Democratic Senator to remind gentlemen that by the law which you seek to repeal, and to which reference was made by the gentleman from Texas [Mr. HENRY], ships owned or controlled by railroad carriers engaged in transportation competitive with the canal are prohibited from going through the canal, and that ships owned or controlled in violation of the Sherman antitrust law are also prohibited from going through the canal.

I desire now to finish this quotation from the eminent Democrat, who was a member of the committee on platform in the last Democratic national convention in company with the present distinguished Secretary of State.

Mr. HENRY. I want to inject right there—

Mr. COOPER. I do not want the gentleman to inject anything, because I am now reading from a good Democratic speech, with the accent on the good. [Laughter.] He continues:

There are, besides, 44 tank steamers, fitted only for carrying oil, and 32 tramps. If any other ships enter into the coastwise trade through the canal, they must be built or taken out of the service in which they are now employed, presumably profitably.

Talk of a "shipping trust" in this connection may pass upon the hustings or in the rural press, but indulgence in it in this body does not add to the dignity of the discussion nor to the enlightenment it may afford.

I ask the especial attention of our Democratic friends to that last paragraph.

Mr. HENRY. Will the gentleman yield for a moment?

Mr. COOPER. Before I yield I want to direct attention to the Senator's close analysis of the testimony given before the Senate committee by men who knew all about the ships of the United States, by whom they are owned, and which of them could, under existing law, go through the Panama Canal. Witnesses of vast experience testified that 85 per cent of the tonnage of the world is carried in tramps and only 15 per cent in liners, so called. They testified that wheat and flour are carried abroad almost exclusively in tramp ships. The report of the House Committee on the Merchant Marine and Fisheries, to the effect that 92 per cent of the coastwise shipping is controlled either by railroads or by combinations of one kind or another, referred entirely to line steamers and not to tramp ships at all. Now, if 92 per cent of the line steamers engaged in coastwise trade are controlled by railroads or unlawful combinations, then the existing law absolutely excludes those 92 per cent from entering the canal if they belong to roads that compete with the canal.

Let me again state the facts. That 92 per cent includes what? It includes the shipping on the Great Lakes. Of course, that shipping is not going through the canal. It includes the barges and ferries that connect the railroad terminal at Jersey City with New York; of course, those are not going through the canal. That 92 per cent includes also the craft that carry railroad cars between the Virginia Capes; of course, that craft is not going through the Panama Canal. The 92 per cent includes the Southern Pacific steamers that ply between New Orleans and New York. They are not going through the Panama Canal because owned by railroads competing with the canal, and therefore prohibited from entering it.

Mr. HENRY. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. HENRY. I will give the gentleman some information that he has not received.

Mr. COOPER. I have not control of the time.

Mr. HENRY. I want to say this to the House. If it will indulge me. In regard to what the Senator from Montana had to say in his speech, I have this to remark, and we might as well meet it and be candid about it now as later on. What really occurred at the Baltimore convention was this—

Mr. COOPER. Will the gentleman permit an interruption?

Mr. HENRY. Yes.

Mr. COOPER. Was the gentleman on the subcommittee of four?

Mr. HENRY. Never mind; I have the information.

Mr. COOPER. The gentleman was not on either subcommittee, and he can not know the facts.

Mr. HENRY. I am going to give you information which I have received.

Mr. COOPER. That is absolutely hearsay. The gentleman was not on the committee, and what he repeats will be hearsay, and I refuse to receive it as against the statement of the secretary of the committee.

Mr. HENRY. Will not the gentleman allow me to give the House the information?

Mr. COOPER. I object to the consideration of the resolution.

Mr. HENRY. Oh, that is unfair.

Mr. COOPER. I object unless the gentleman can give us some direct evidence.

Mr. MANN. How much time does the gentleman want?

Mr. HENRY. Not more than five minutes.

The SPEAKER. This discussion is proceeding by unanimous consent. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HENRY. Now, what occurred at the Baltimore convention was this: I was a delegate and was on the rostrum when the platform came up for consideration. When they got down to a certain point in the platform committee report, the Secretary of State suggested that in dealing with the accomplishments of the Democratic House of Representatives they enumerate those things that had been written into law by the

Democracy. So in a certain part of the platform you will find the achievements of the Democratic Party incorporated. The Secretary of State was willing for other gentlemen to make the enumeration. When it got to the question of a subsidy, some gentleman slipped one over on the delegates at another place in the platform [Laughter.] And they did not put the free-tolls measure in the enumeration of what the Democratic House had done. When the subject of the merchant marine was reached, the Secretary of State, believing the Democratic House had really provided that coastwise ships should go through the canal free, allowed it to go through, thinking it had passed by a Democratic majority. Such was not and is not the case. The Secretary of State said to me that if he had known that a majority of the Democrats in the House had voted against it there should not have been any provision for it in the platform.

Mr. BRYAN. Had President Wilson found that out when he made his speech two weeks later?

Mr. HENRY. That is the literal truth, and those who favor a subsidy need not think that they are making any capital by converting that point. The Democratic Party is against subsidies, and we follow that faith of the Democracy. We do not follow the one that was put in another isolated part of the platform.

Mr. MANN. The gentleman knows that the free tolls and the subsidy are in the same plank.

Mr. HENRY. It is not in the same plank; it is in a different place.

Mr. MANN. Then I happen to be more familiar with the platform than the gentleman from Texas.

Mr. HENRY. I read the platform only yesterday, and free tolls does not appear under the enumeration of the things done by the Democratic House.

Mr. MANN. Oh, no; but it appears in the same plank as the subsidy.

Mr. HENRY. Yes, it does; but in a different place from the enumeration of the Democratic achievements. I was talking about the plank recounting achievements of the Democratic Party.

Mr. MANN. They have no achievements. [Laughter on the Republican side.]

Mr. HENRY. And still you gentlemen run to cover on this resolution. You let the resolution pass and we will show you by the report which the Interstate Commerce Commission makes that, although ships owned by railroads or combinations are not to pass through the Panama Canal, they have not accomplished anything of benefit to the American people, because the report will show that the same man or set of men that finance the railroad are financing the ship monopoly as well; that the same hand furnishes the money to both of them; and although your Interstate Commerce Commission report that they have separated them, and that these ships in a certain class shall not go through, yet they are within the same dominion of financial control. Let us get the names of these men. Let the resolution pass and we will show you the personnel of the men who control the ship monopoly and the railroads.

Mr. HARDY. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. HARDY. I want to suggest to the gentleman from Wisconsin that it seems to me that if he will read the entire evidence taken before the Merchant Marine and Fisheries Committee, that, whether the Senator from Montana says there is no shipping trust or not, he will agree that the shipping routes of this country are dominated by the shipping combinations.

Mr. COOPER. The gentleman from Texas misunderstood the quotation from the speech of the Senator from Montana. The Senator referred to the report of the House Committee on the Merchant Marine and Fisheries, to the effect that 92 per cent of the line steamers engaged in coastwise traffic are dominated by the railroads—

Mr. HARDY. No; railroads and trusts.

Mr. COOPER. Yes; railroads and combinations. But the law of August, 1912, expressly excludes such ships from the canal, so what is there in the contention of the gentlemen on that side of the aisle? Ships that are owned by trusts in violation of the Sherman antitrust law and ships owned by railroads which are competitors of the canal are not to be permitted to go through the canal.

The SPEAKER. The gentleman will suspend for a moment. All of this talk on both sides of the aisle is by unanimous consent. There is nothing pending, and if the gentleman from Wisconsin desires to proceed, he will have to do what the gentleman from Texas [Mr. HENRY] did—ask unanimous consent.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Speaker, reserving the right to object—

The SPEAKER. The gentleman is too late.

Mr. LINTHICUM. I was on my feet.

The SPEAKER. The gentleman was not making much noise about it. [Laughter.]

Mr. LINTHICUM. I shall not object, Mr. Speaker; but I will object to any further extension.

Mr. HARDY. Mr. Speaker, I will have to object now.

The SPEAKER. The gentleman from Texas is too late.

Mr. HARDY. Mr. Speaker, just as soon as the gentleman from Maryland reserved the right to object—

The SPEAKER. But he did not reserve the right to object. He said he served notice that he was going to object.

Mr. HARDY. But, Mr. Speaker—

The SPEAKER. The Chair had already ruled that he was too late.

Mr. HARDY. The Chair will permit me to be heard for a moment on the question of parliamentary practice?

The SPEAKER. For a moment; yes.

Mr. HARDY. Mr. Speaker, the gentleman from Maryland rose, and was held not to be too late.

The SPEAKER. The Chair distinctly held that he was too late.

Mr. HARDY. I thought the Chair permitted him to reserve the point of order.

Mr. BARTLETT. Mr. Speaker, I call for the regular order.

Mr. COOPER. I am the regular order. [Laughter.]

The SPEAKER. The gentleman from Wisconsin has five minutes.

Mr. COOPER. Mr. Speaker, I wish our friends on the other side of the aisle to listen to this great Democratic Senator from Montana.

Mr. HARDY. But we can not reply.

Mr. COOPER. He was the secretary of the platform committee in your national convention, a committee and a convention of which the present Secretary of State was a most important member. Says that distinguished Senator referring to the tolls plank:

Neither am I disposed to listen with any patience to the view that the obnoxious plank is contrary to the time-honored principle of the Democratic Party against a subsidy. I have no disposition to expose myself to the disrespect of any man who gives thought to the subject at all by advancing any such preposterous argument.

He calls your "subsidy" talk "preposterous."

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I can not.

Mr. HARDY. Then I make the point of order that it is not proper for the gentleman to refer to a discussion in the Senate at this time.

Mr. COOPER. But I am not commenting upon it.

The SPEAKER. The point of order is well taken. The Chair would have sustained it 15 minutes ago if it had been made.

Mr. HARDY. I only make it now because we have no opportunity to reply.

Mr. COOPER. Am I not permitted to read from a speech, if I refrain from comments?

The SPEAKER. No; the rule is the other way.

Mr. COOPER. Then, Mr. Speaker, I desire to make an argument of my own.

The SPEAKER. Very well.

Mr. COOPER. And it is a very able argument, I think, too. [Laughter.]

Mr. HARDY. Mr. Speaker, the gentleman is commenting on the speech by saying what sort of an argument it is.

The SPEAKER. The gentleman from Wisconsin said he was going to make an argument of his own, and that it was a good argument.

Mr. COOPER. Mr. Speaker, I do not want this taken out of my time.

The SPEAKER. No; it will not be taken out of the gentleman's time.

Mr. COOPER. Mr. Speaker, I believe I have four minutes and a half left. [Laughter.]

So, if tolls exemption be a subsidy, we are going to continue subsidizing shipping, whatever be the fate of the pending bill. If the term "subsidy" is applicable to the case at all, the question is—

Mr. HARDY. Mr. Speaker, I make the point of order that the gentleman can not read from a speech in the Senate and call it his speech.

The SPEAKER. The Chair sustains the point of order.

Mr. COOPER. Mr. Speaker, the statement that I have just made is one in the truth of which I firmly believe. What I am reading expresses perfectly my views.

The SPEAKER. The Chair can not get down and investigate to see whether the gentleman is reading from a Senator's speech or making his own speech. The Chair has stated what the rule is. The rule is frequently violated, so far as that is concerned, but when it is invoked the gentleman can not quote from a Senator or talk about a Senator.

Mr. MANN. He is not doing either one.

The SPEAKER. If he is not doing either one, he is not violating the rule.

Mr. HARDY. I wish to say that it appeared by ocular demonstration that the gentleman was reading. I do not know whether he was reading or not.

The SPEAKER. He may be reading the Bible, for all the Chair knows.

Mr. HARDY. On the ground that it may be the Bible, I withdraw the objection. [Laughter.]

Mr. COOPER. He says—[laughter]—I refer to the gentleman from Texas [laughter], that by ocular demonstration I am reading. The gentleman ought to listen and learn the truth through auricular demonstration. Mr. Speaker, this is not to be taken out of my time. [Laughter.]

Mr. HARDY. The gentleman is doing it all himself, and I do not know why it should not come out of his time.

Mr. COOPER. This Senator says—

We appropriate millions annually for the improvement of rivers and harbors. We must desist because we are subsidizing the shipping interests which make use of these improvements free, as will our coastwise shipping under the act that has recently evoked so much hue and cry about subsidy. As if these considerations did not make the proposition sufficiently ridiculous, the tariff act, in which we all take so much pride, contains a provision under which goods brought to our ports in American bottoms enter at a rate of duty 5 per cent less than those specified in the various schedules. The result to the Government is exactly the same—

Mr. HENRY. Will the gentleman yield?

Mr. COOPER. I can not now.

The result to the Government is exactly the same as though the nominal rates were exacted and then a payment of 5 per cent of the amount collected made to the American shipowner. In a sense, though by no means in any exact sense, this is a subsidy—quite as near being a subsidy as is the exemption granted by the canal act to coastwise shipping. Yet the Democratic committees of both Houses conceived the idea, the Democratic caucuses of both Houses approved of it, the Democratic Members of both Houses voted for it, and the Democratic President gave it his sanction in signing the historic measure of which it is a part.

[Applause on the Democratic side.]

But according to your new views that 5 per cent reduction in rates was and is a 5 per cent subsidy in favor of American ships. You who are cheering so loudly voted for that subsidy. And yet now claiming that you can not vote to give a preference to American coastwise vessels in the canal for the pretended reason that it would be a subsidy, you deliberately repudiate your party platform and all the arguments and promises in its support made before the election by you and by your candidate for the Presidency. If your platform had declared against tolls exemption on coastwise trade, could your party have carried Oregon? No. You repudiate your platform and your promises because you say tolls exemption on American ships is a subsidy, and yet there is absolutely no distinction in principle, Mr. Speaker, between that 5 per cent reduction provided for in the Democratic tariff act on goods coming in American ships and the exemption from canal tolls of American coastwise ships.

Let us not invite—

Mr. HENRY. From what is the gentleman reading?

Mr. COOPER (continuing):

Let us not invite the imputation of hypocrisy by shouting "subsidy." That kind of subsidy is as old as our Government. It had the approval of Jefferson and every Democratic administration down to Jackson's time. The First Congress, which convened in 1789, gave a preference to American ships by fixing the rate of duty on imports brought in by them at 10 per cent less than those entering in foreign vessels.

President George Washington signed that law.

The SPEAKER. The time of the gentleman has expired. While this is fresh in the minds of Members, the Chair will read to the House the rule which is frequently violated. This is from Jefferson's Manual, section 364:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independence, not to be influenced by the proceedings of the other, and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Then in a footnote Mr. HINDS says:

This rule of the parliamentary law is in use in the House of Representatives to the full extent of its provisions, and it has always been held a breach of order to refer to debates or votes on the same subject in the other House.

And so forth.

This is a practice that ought to be observed, and the reason is, it is likely to lead to bad feeling.

Mr. BURKE of South Dakota. Mr. Speaker, will the Chair permit a parliamentary question?

The SPEAKER. The gentleman will state it.

Mr. BURKE of South Dakota. I would like to ask the Speaker whether he considers it to be a violation of the rule if a Member of the House, in a speech, should refer to a speech made elsewhere without stating by whom it was made or where it was made, but yet quoting a speech or a portion of a speech made in the Senate?

The SPEAKER. Why, if he is really quoting the speech, he is trying to evade the inhibition.

Mr. HARDY. Mr. Speaker, will the Chair permit me a word of personal explanation? I did not desire to exclude the gentleman from Wisconsin from reading the speech. I only did so because I understood that there would be no chance to reply to his comment.

Mr. MANN. Does the gentleman want any time?

Mr. HARDY. No. I am now under notice in regard to it, and I want to get through, anyhow.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. MANN. Mr. Speaker, I object.

AMENDMENT TO SECTION 4472, REVISED STATUTES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14377) to amend section 4472 of the Revised Statutes.

The Clerk read as follows:

Be it enacted, etc., That section 4472 of the Revised Statutes of the United States of America be, and the same is hereby, amended by adding thereto the following provision:

"*Provided, however,* That nothing in the foregoing or following sections of this act shall prohibit the transportation and use by vessels carrying passengers or freight for hire of gasoline or any of the products of petroleum for the operation of engines to supply an auxiliary lighting and wireless system independent of the vessel's main power plant: *Provided further,* That the transportation or use of such gasoline or any of the products of petroleum shall be under such regulations as shall be prescribed by the board of supervising inspectors, with the approval of the Secretary of Commerce."

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I reserve the right to object, for the purpose of giving the gentleman from Missouri [Mr. ALEXANDER] an opportunity to state just what is expected to be accomplished by the enactment of this amendment.

Mr. ALEXANDER. Section 4472 of the Revised Statutes, enacted March 3, 1905, provides in part:

No loose hay, loose cotton, or loose hemp, camphene, nitroglycerin, naphtha, benzene, benzole, coal oil, crude or refined petroleum, or other like explosive burning fluids, or like dangerous articles shall be carried as freight, or used as stores on any steamer carrying passengers. * * *

Now, by the act of July 23, 1912, section 1 of the "Act to require apparatus and operators for radiocommunication on certain ocean steamers, approved June 24, 1910," was amended so as to provide among other things:

An auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, day or night. * * *

Mr. MADDEN. This just provides the necessary material to establish the power?

Mr. ALEXANDER. Yes.

Mr. MADDEN. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. GRAY. Mr. Speaker, I ask unanimous consent to return to H. R. 11317, which was passed this morning without prejudice. I have just obtained the data for which I left the Chamber this morning and want to explain why I make this request—

Mr. MANN. I shall have to object to that.

Mr. GRAY. I ask unanimous consent for five minutes to state the facts relative to this bill going over and why I am able now—

Mr. MANN. I object to that.

The SPEAKER. The gentleman objects to that.

Mr. MANN. We took care of the gentleman's bill by not striking it from the calendar.

Mr. GRAY. When I explain that the chairman of the subcommittee reporting the bill has been and is still absent from—

The SPEAKER. No; the gentleman from Illinois objects to the unanimous consent for the gentleman to address the House.

Mr. RAKER. Mr. Speaker, when this matter was up, the gentleman from Indiana had to go over to get the papers. He was in the House this morning.

Mr. MADDEN. I object to that, Mr. Speaker.

The SPEAKER. That is out of order. The Clerk will report the next bill.

COLLISIONS IN RIVERS AND HARBORS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15005) to amend an act entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States," approved June 7, 1897.

The bill was read, as follows:

Be it enacted, etc., That section 2 of the act approved June 7, 1897, entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States," be amended so as to read as follows:

"Sec. 2. That the supervising inspector of steam vessels and the Supervising Inspector General shall establish such rules to be observed by steam vessels in passing each other, and as to the lights to be carried by ferryboats, and by barges and canal boats when in tow of steam vessels, and as to the lights and day signals to be carried by vessels marking a wreck or other obstruction to navigation, or moored for submarine operations, or made fast to a sunken object which may drift with the tide or be towed, not inconsistent with the provisions of this act, as they from time to time may deem necessary for safety, which rules, when approved by the Secretary of Commerce, are hereby declared special rules duly made by local authority, as provided for in article 30 of chapter 802 of the laws of 1890. Two printed copies of such rules shall be furnished to such ferryboats and steam vessels, which rules shall be kept posted up in conspicuous places in such vessels."

Also the following committee amendments were read:

Strike out the word "inspector," in the eighth line of page 1, and insert in lieu thereof the word "inspectors."

Insert, after the word "ferryboats," in the eleventh line of page 2 of the printed bill, the following: "barges, canal boats"; so that it will read: "ferryboats, barges, canal boats, and steam vessels."

Also further amend by striking out the period at the end of the word "vessels," in line 13, on page 2, and insert a comma and the words "barges, and boats."

Mr. MADDEN. Mr. Speaker, reserving the right to object, does not the board of steamboat inspectors now make regulations for the passage of ships on the lakes and in navigable waters controlled by the Government of the United States, and in what particular way or to what extent will this language change that authority?

Mr. BURKE of Wisconsin. I will say to the gentleman from Illinois [Mr. MADDEN] that the supervising inspectors of steam vessels and Supervising Inspector General have now power to make rules and regulations to a certain extent. It appears from the law that they have not the power to make rules and regulations providing warning signals for vessels working on wrecks or other obstructions to navigation, or for vessels working on submarine operations. For that reason it is necessary to so amend the law as to give this power in such cases to the supervising inspectors of steam vessels.

Mr. MADDEN. Then this amendment does not propose to enlarge the authority of inspectors of steamboats to make regulations for the navigation of the ships, but simply to provide for a condition which does not now exist?

Mr. BURKE of Wisconsin. Exactly. It provides for warning signals.

Mr. MADDEN. It does not change the regulations already in existence, except as to the specified cases provided in this amendment?

Mr. BURKE of Wisconsin. That is all, sir.

Mr. MADDEN. I have no objection to it, then.

Mr. MOORE. Mr. Speaker, how does this question come to arise?

Mr. BURKE of Wisconsin. It comes to arise in this manner: It appears that the Chapman & Merritt Wrecking Co. is engaged in laying submarine aqueduct pipes from Long Island to Staten Island, across the Narrows at New York Harbor. That harbor, as everyone knows, is frequented by hundreds of vessels every day, going back and forth, and this work at that point will continue, it is estimated, for more than a year. The matter was presented to the Secretary of Commerce by the representatives of this dredging company, and it was ascertained then that there was no provision in law requiring them to carry any given signal which would be different from other marine signals. I desire further to say that the Secretary of Commerce, in a letter to the chairman of the Committee on the Merchant Marine and Fisheries, explained this matter fully and urged the speedy adoption of this amendment. I will say that the amendment, of course, is of general application.

Mr. MOORE. It will be of general application?

Mr. BURKE of Wisconsin. Yes, sir; it is so stated in the report.

Mr. MOORE. And it arises owing to this condition in New York Harbor?

Mr. BURKE of Wisconsin. And it sort of emphasizes the fact that this gap is in the law.

Mr. MOORE. What is the reason for bringing this amendment in here?

Mr. BURKE of Wisconsin. I will say to the gentlemen, that if there is no objection to the consideration of the bill at this time I propose to move for the consideration of the Senate bill in lieu of the House bill. The Senate bill is similar to the House bill.

Mr. MOORE. The calendar number of the Senate bill is 143, and it is called "An act to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work." Substantially all of the bill and all of the reports seem to be the same. It is not intended to press both measures?

Mr. BURKE of Wisconsin. No, sir. At the proper time I propose to ask that the Senate bill be considered in lieu of the House bill.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. BURKE of Wisconsin. Mr. Speaker, there is upon the Unanimous Consent Calendar the Senate bill 5230, or No. 143 on the calendar, which is a bill exactly similar to the House bill now under consideration. It has passed the Senate, and it is the wish of your Committee on the Merchant Marine and Fisheries, and also of the Secretary of Commerce, to expedite matters as much as possible. Therefore, I ask unanimous consent that the Senate bill 5230 be considered now, in lieu of the House bill.

The SPEAKER. The gentleman from Wisconsin [Mr. BURKE] asks unanimous consent that the Senate bill of similar tenor to the House bill be considered in lieu of the House bill.

Mr. MANN. Let it be reported.

The SPEAKER. The Clerk will report the Senate bill. Does the gentleman from Wisconsin know the calendar number?

Mr. BURKE of Wisconsin. It is No. 143 on the Unanimous Consent Calendar.

The SPEAKER. Does the Chair understand the gentleman to say that the Senate bill is on the Unanimous Consent Calendar?

Mr. BURKE of Wisconsin. It is.

Mr. STAFFORD. It is, Mr. Speaker.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 5230) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work.

Be it enacted, etc., That section 2 of the act approved June 7, 1897, entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States," be amended to read as follows:

"Sec. 2. That the supervising inspectors of steam vessels and the Supervising Inspector General shall establish such rules to be observed by steam vessels in passing each other and as to the lights to be carried by ferryboats and by barges and canal boats when in tow of steam vessels, and as to the lights and day signals to be carried by vessels marking a wreck or other obstruction to navigation or moored for submarine operations, or made fast to a sunken object which may drift with the tide or be towed, not inconsistent with the provisions of this act, as they from time to time may deem necessary for safety, which rules when approved by the Secretary of Commerce are hereby declared special rules duly made by local authority, as provided for in article 30 of chapter 802 of the laws of 1890. Two printed copies of such rules shall be furnished to such ferryboats and steam vessels, which rules shall be kept posted up in conspicuous places in such vessels."

The SPEAKER. Is there objection to considering the Senate bill just reported in lieu of the House bill of similar tenor? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time.

Mr. BURKE of Wisconsin. Mr. Speaker, there are certain amendments that were submitted by the Committee on the Merchant Marine and Fisheries to the Senate bill. I desire to say at this time, Mr. Speaker, that since the reporting of the Senate bill with amendments we received two separate communications—one from the Superintendent of the Bureau of Light-houses and one from Mr. Chamberlain, of the Bureau of Navigation, in which they suggested two other slight amendments, so that now I think the proper way to do is to withdraw the committee amendments as reported and submit the following amendments on behalf of the committee.

The SPEAKER. Has the House committee ever considered the Senate bill?

Mr. BURKE of Wisconsin. Certainly.

Mr. MANN. It has been reported.

The SPEAKER. Without objection, the vote by which the third reading of the House bill was ordered will be vacated.

There was no objection.

The SPEAKER. The gentleman from Wisconsin suggests—

Mr. MANN. The committee amendments were not acted upon. The gentleman from Wisconsin [Mr. BURKE] can offer his amendment as a substitute.

The SPEAKER. The Clerk will report the committee amendment.

Mr. ALEXANDER. No. 1.

The Clerk read as follows:

Amend Senate bill 5289 as passed by the Senate by striking out, after the word "by," in the first line of page 2, the words "marking a wreck" and inserting in lieu thereof the words "dredges of all types and vessels working on wrecks and by," and placing a comma after the word "by," in the first line of page 2.

Mr. MANN. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What report has the Clerk got on this bill? Is it the Senate bill 5289? What has he there? There is no such amendment in the copy that I have.

Mr. BURKE of Wisconsin. I do not understand the gentleman from Illinois.

Mr. MANN. These are not the committee amendments.

Mr. BURKE of Wisconsin. No, sir. I asked the privilege of withdrawing the committee amendments.

Mr. MANN. I know; but I objected to withdrawing the committee amendments. Now I have no objection. I would like to have this amendment reported again. I thought it was reported as the first committee amendment.

The SPEAKER. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amend Senate bill 5289 as it passed the Senate by striking out, after the word "by," in the first line of page 2, the words "marking a wreck" and inserting in lieu thereof the following words—

Mr. MANN. On what page and line is that?

The Clerk read as follows:

By striking out the word "by" in the first line of page 2 of the Senate bill.

Mr. MANN. There is no such language there. I do not see how you can amend and strike out language that is not there.

Mr. BURKE of Wisconsin. Mr. Speaker, there may be a difference in some of these prints; but I specifically, in the amendment, called attention to line 1 of the Senate bill as it passed the Senate.

Mr. MANN. I know; but the gentleman knows that when an amendment of this sort is offered and it goes to the enrolling room they can not enroll it at some other place than where it is offered, and it ought to be offered in the right place.

Mr. BURKE of Wisconsin. This is offered in the right place.

Mr. MANN. It is certainly not in the right place, page 2, line 1.

Mr. STAFFORD. Can not the gentleman indicate on the Senate bill as reported by his committee? You will find it on page 2, lines 3 and 4. There is this language, "marking a wreck." Is that the language that the gentleman refers to?

The SPEAKER. The Chair has an idea that the amendment is being offered as a substitute.

Mr. MANN. This is not the correct place.

The SPEAKER. The Chair is trying to help everybody out of the muddle by stating what the muddle is about.

Mr. BURKE of Wisconsin. Mr. Speaker, I desire to explain this, that when the bill was reported back from the House, in the reprinting of it the words of certain lines in the Senate bill as it was passed were in different lines in the bill when reprinted after being reported from our committee. I noticed that when I was drawing the amendment.

Mr. MANN. Very well.

Mr. BURKE of Wisconsin. I specifically provide that it was to be an amendment on line 1 of the Senate bill after the word "by" on page 2.

Mr. STAFFORD. In this print the gentleman will find it on line 3, page 2, after the word "by," preceding "vessels."

Mr. MOORE. Succeeding "vessels marking a wreck."

Mr. BURKE of Wisconsin. In the Senate bill reported from the House committee it is after the word "by" in the third line.

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

Amend Senate bill 5289 as it passed the Senate by striking out, after the word "by" in the first line of page 2, the following words: "marking a wreck" and inserting in lieu thereof the following words: "dredges of all types and vessels working on wrecks and by," and place a comma after the word "by" in the first line of page 2.

Mr. MANN. Now, I would like to ask the gentleman a question. In the copy of the act which I have the first word after the word "by" is "vessels." Yet the gentleman has offered an amendment to strike out after the word "by" the words "marking a wreck."

Mr. STAFFORD. The gentleman wishes to strike out the words "marking a wreck."

Mr. MANN. Let the gentleman tell what he wants. I want to have the amendment reported so that we can understand it.

The SPEAKER. What suggestion has the gentleman from Illinois to make?

Mr. MANN. I am trying to find out where the gentleman from Wisconsin [Mr. BURKE] wants it to come in. He proposes to strike out a word after a word that does not exist in the bill.

Mr. BURKE of Wisconsin. I beg the gentleman's pardon. I want to strike out the word "marking" and put in "working on a wreck."

Mr. MANN. That comes in after the word "vessels."

Mr. BURKE of Wisconsin. Yes.

Mr. MANN. The language reads "to be carried by vessels marking a wreck."

Mr. BURKE of Wisconsin. Yes.

Mr. MANN. You do not want to strike it out after the word "by," because it does not follow the word "by."

Mr. BURKE of Wisconsin. Yes; it means after "vessels."

Mr. MANN. Very well.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, by striking out, after the word "vessels," in the first lines of page 2, the following words: "marking a wreck," and insert in lieu thereof the following words: "dredges of all types, and vessels working on wrecks, and by," and place a comma after the word "by" in the first line of page 2.

Mr. ALEXANDER. I should like to inquire if the Clerk has the bill that passed the Senate.

The SPEAKER. The Clerk has the engrossed copy of the bill.

Mr. ALEXANDER. And is that reference to the first line on page 2 correct?

The SPEAKER. Yes.

Mr. HARDY. Mr. Speaker, I want to take one whack at this. I think the gentleman is mistaken, and that what he wanted to do was to strike out the words "vessels marking a wreck," and then make the insertion that he spoke of, so that he would make the insertion after the word "by."

Mr. MOORE. Let it be reported as amended.

Mr. HARDY. I ask the Clerk to read the sentence as it would be when amended.

Mr. MOORE. Beginning with section 2.

The SPEAKER. If there be no objection, the Clerk will report it as it will read if amended.

The Clerk read as follows:

To the lights and day signals to be carried by vessels, dredges of all types, and vessels working on wrecks, and by.

Mr. BURKE of Wisconsin. Mr. Speaker, I desire to say that the amendment as originally handed up by me is correct. The words "vessels marking a wreck" should be stricken out.

Mr. MOORE. May we have the section read as proposed to be amended?

The SPEAKER. If there be no objection, the Clerk will again report it.

The Clerk read as follows:

To the lights and day signals to be carried by vessels, dredges of all types, and vessels working on wrecks, and by other obstructions to navigation, or moored for submarine operations.

Mr. HARDY. The words intended to be inserted are properly reported, but the words intended to be stricken out should include the word "vessels" also.

The SPEAKER. Will the gentleman from Wisconsin [Mr. BURKE], in charge of the bill, state whether that is correct?

Mr. BURKE of Wisconsin. It ought to be:

Strike out the words "vessels marking a wreck," and substitute therefor the words "dredges of all types, and vessels working on wrecks, and by."

The SPEAKER. The Clerk will report it that way.

The Clerk read as follows:

To the lights and day signals to be carried by dredges of all kinds, and vessels working on wrecks, and by.

Mr. BURKE of Wisconsin. That is correct.

Mr. STAFFORD. I ask unanimous consent that it may be reported now as amended.

The SPEAKER. The Clerk will again report it.

The Clerk read as follows:

To the lights and day signals to be carried by dredges of all types, and vessels working on wrecks, and by other obstructions to navigation, or moored for submarine operations.

Mr. STAFFORD. That does not make sense, Mr. Speaker.
Mr. BURKE of Wisconsin. The word "by" in the amendment may be stricken out now.

The SPEAKER. The Clerk will now read the amendment as it should be.

The Clerk read as follows:

To the lights and day signals to be carried by dredges of all types, and vessels working on wrecks, and.

Mr. MOORE. I want to ask the gentleman if it is intended to strike out the words "ferryboats, barges, and canal boats," because that is what it would seem to do.

Mr. BURKE of Wisconsin. No; the striking out is of the words "vessels marking a wreck," and the insertion is "dredges of all types, and vessels working on wrecks."

Mr. MOORE. That does not comport with the bill I have in my hand. The amendment would not fit in at all. It would be a mere jumble.

Mr. BURKE of Wisconsin. The gentleman probably has the bill as it was printed after being reported to the House, and not the bill as it passed the Senate.

Mr. MOORE. I would not like to object to the gentleman's proposition, but it seems to me we ought to have the bill in proper shape.

Mr. STAFFORD. I should like to ask the gentleman whether the word "or" should not still be retained. As the amendment is reported by the Clerk it strikes out the word "or." Now, as I gather from the gentleman's statement, he wishes to have the language read as follows:

Signals to be carried by dredges of all types, and vessels working on wrecks or other obstructions to navigation, or moored.

Mr. BURKE of Wisconsin. Yes.

Mr. STAFFORD. I think the word "or" should be retained and not stricken out as last reported by the Clerk. The word "or" should be substituted for "and," so as to read "or other obstructions to navigation."

The SPEAKER. Does the gentleman offer that as an amendment to the amendment?

Mr. STAFFORD. Yes.

The SPEAKER. The Clerk will report the amendment. We do not want to be passing amendments without knowing what they are.

The Clerk read as follows:

In line 2 of the amendment strike out the word "or."

The SPEAKER. Does the gentleman from Wisconsin [Mr. STAFFORD] intend that the word "or" shall be part of the amendment offered by his colleague [Mr. BURKE]?

Mr. STAFFORD. I understood that as the amendment was reported by the Clerk the last word was "and." Instead of that it should be "or," so as to carry out the intention of this bill.

The SPEAKER. Those in favor of changing the word "and" to the word "or" will say aye. Those opposed will say no.

The amendment to the amendment was agreed to.

The SPEAKER. The question now is on the amendment offered by the gentleman from Wisconsin [Mr. BURKE] as amended.

The amendment as amended was agreed to.

The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amend by inserting, after the word "ferryboats," in line 11, page 2, the words "barges, dredges, canal boats, vessels working on wrecks," and place a comma after the word "ferryboats," in line 11.

Mr. MADDEN. I should like to ask the gentleman from Wisconsin just what that means.

Mr. BURKE of Wisconsin. This amendment refers to the posting of notices pertaining to these regulations in different boats. As the statute now stands—

Mr. MADDEN. As the statute now stands it does not require the posting of these notices?

Mr. MANN. It requires the notice on ferryboats and steam vessels.

Mr. BURKE of Wisconsin. Ferryboats and steam vessels; and on account of the change in the text above, it is necessary that the notices should be posted on barges and vessels working on wrecks.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The Clerk read the following committee amendment:

Amend Senate bill by inserting, after the word "vessels," in line 13, page 2, the following words: "barges, dredges, and boats," and place a comma after the word "vessels."

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BURKE of Wisconsin, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The title was amended.

PATENT TO JOHN RUSSELL.

The next business on the Calendar for Unanimous Consent was the bill S. 1243, an act directing the issuance of a patent to John Russell.

The Clerk read the bill, as follows:

Be it enacted, etc., That a patent under the homestead laws be issued to John Russell for the land occupied by him situated approximately in sections 4 and 5 of township 13 north, range 13 east of the Willamette meridian, in the Mount Rainier Forest Reserve, State of Washington, notwithstanding any withdrawal heretofore made affecting the same, upon his submitting satisfactory proof of the agricultural character of said lands and his compliance with the homestead laws applicable thereto: *Provided, however,* That patent shall not issue until said lands have been surveyed by metes and bounds under the direction of the surveyor general for the State of Washington.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I find in the report that the Acting Secretary of Agriculture says that the land is valuable for reclamation purposes and virtually makes a dissenting report upon this bill. I would like to have some explanation why the bill is asked to be passed under such circumstances.

Mr. LA FOLLETTE. Mr. Speaker, I think I can give the gentleman the information. This man John Russell went into a mountain valley in Kittitas County, Wash., 30 years ago—in 1884. He settled as a squatter. The land was unsurveyed. He made his home there until such time as the forest reserve was established. At the time he went there there had been no such thing as a forest reservation thought of.

The land was never surveyed and he never had a chance to file on it. After the forest reserve was established he went to the forest-reserve people, who acknowledged the justice of his claim and would have granted his request and allowed him to file, but before they got ready to act and have the land surveyed it was set aside with other lands for a reservoir site in a new scheme that had come in under the reclamation act. Of course that was long after the man had settled on the land. When he made application to have the land surveyed, the reclamation people decided against him, not that he had no right under the law but because they thought it should be set aside as a reservoir site.

Mr. STAFFORD. How much land is involved?

Mr. LA FOLLETTE. One hundred and sixty acres.

Mr. STAFFORD. I find from the report that—

An examination of the land was made at that time, but there appears from the records of the case to have been some difficulty in reconciling Mr. Russell to the limitations of the act of June 11, 1906—that is, 160 acres.

From my reading of the report of the Assistant Secretary of Agriculture it appears that Mr. Russell once had an opportunity of making a selection of 160 acres, but he was not satisfied, because the amount of land that he had squatted upon was larger. Then later the land was reserved from settlement, and now, according to the uncontradicted statement of the department officials, the Assistant Secretary of Agriculture and the Assistant Secretary of the Interior, they say that the land is valuable and is needed in connection with an irrigation project.

Mr. LA FOLLETTE. For a reservoir site.

Mr. STAFFORD. Why should he surrender the title when it is necessary for a site for reservoir purposes?

Mr. LA FOLLETTE. Let me ask the gentleman from Wisconsin if this man had a good title, under the irrigation act, if they decided they needed it for a reservoir site, would they not have to either purchase it or condemn it? This man should have the same right to this place that he has lived on for 30 years as he would have if he had settled on it under the laws of the United States and received his patent.

Mr. STAFFORD. But he wanted more than 160 acres.

Mr. LA FOLLETTE. I do not know about that.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MANN. Where the law provides that a patent under the homestead laws be issued, can there be a patent issued for more than 160 acres?

Mr. LA FOLLETTE. I do not think so.

Mr. MANN. So, as a matter of fact, that patent of this land was offered to him—160 acres—and he would not take it. If he had taken it, and we wanted the land back, we would have to buy it and charge it up as a part of the Reclamation Service; and that is all that this bill proposes to do.

Mr. STAFFORD. There would be considerable delay before the Government could get hold of the land.

Mr. MANN. Oh, not at all; it is for a reservoir site, and they can not use it until they construct the other works.

Mr. LA FOLLETTE. That is in the future, allow me to say to the gentleman from Wisconsin.

Mr. STAFFORD. Let me read a line from the report for the benefit of the House:

It appears from his report, however, that it is regarded as a necessary part of the complete irrigation development of the Yakima project, and the director feels that the water users in the project should not be charged with the expenditure which would result from the acquisition of the land by purchase or condemnation should patent issue to Mr. Russell.

Mr. LA FOLLETTE. This man is an old man. He settled on this place and worked on it long before reclamation projects or forest reserves were heard of. Why should he be denied a title to it?

Mr. STAFFORD. He only had a squatter's right.

Mr. MANN. He had rights under the law, and they are rights under the statutes of the United States.

Mr. LA FOLLETTE. Here is the law; and the gentleman from Wisconsin will find that a squatter has as much right to land as anybody else.

Mr. MANN. The law gives him a right to go on the land.

Mr. STAFFORD. Do we have the positive assurance of the gentleman from Washington that this resolution will only give him 160 acres and no more?

Mr. LA FOLLETTE. Yes; and gentlemen will understand that he has valuable improvements on this land.

Mr. STAFFORD. His valuable improvements are nothing more than log houses and some other log buildings.

Mr. LA FOLLETTE. He is an old man and has nothing in the world to leave to his children except this land and buildings.

The SPEAKER. Is there objection?

There was no objection.

Mr. LA FOLLETTE. Mr. Speaker, this bill is on the Union Calendar, and I ask that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Washington asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

PUBLIC ROADS ON CERTAIN INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9899) authorizing the laying out and opening of public roads on the Winnebago, Omaha, and Santee Sioux Indian Reservations in Nebraska.

The Clerk read the bill, as follows:

Be it enacted, etc., That the legal road authorities charged with the duty of laying out and opening public roads and highways under the laws of the State of Nebraska having jurisdiction over any territory embraced within the Winnebago Indian Reservation, the Omaha Indian Reservation, and the Santee Sioux Indian Reservation, in the State of Nebraska, are hereby authorized and empowered to lay out and open public roads within any of the said Indian reservations in conformity to and in accordance with the laws of the State of Nebraska relating to the laying out and opening of public roads, and that any public road when so laid out and opened shall be deemed a legal road.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that when this bill was last considered there was violent objection to it from some Members of the House.

Mr. STEPHENS of Nebraska. Yes; and I have an amendment to satisfy that objection.

Mr. STAFFORD. Will the gentleman inform us what the amendment is?

Mr. STEPHENS of Nebraska. I propose to offer an amendment to the second committee amendment, on page 2 of the bill, to strike out the period after the word "road," in line 11, insert a comma, and add the following:

And no such road shall be laid out until after it has received the approval of such superintendent.

Mr. STAFFORD. With that amendment, what additional rights or privileges do the counties have over what they have at the present time under the law?

Mr. STEPHENS of Nebraska. The counties have no rights at all on an Indian reservation at the present time. The roads on Indian reservations are practically by unanimous consent, roads laid out under the direction of the Secretary of the Interior, and the rules of the department are that practically unanimous consent must be obtained from all of the heirs before you can lay out a road, and it sometimes happens that a small piece of land will have a dozen heirs scattered all over the country, and it becomes almost impossible to secure a road.

As proof of this, here is a rich territory set down in the eastern portion of Nebraska, belonging to these Indians, highly valuable as agricultural lands, that has practically no roads established upon it because of the impracticable workings of the present law. This bill would simply put in the hands of the road authorities of the State of Nebraska the establishing of roads, and the law safeguards the rights of the citizens in that particular.

Mr. STAFFORD. And also safeguards the rights of the Indians by reserving to the superintendent his visé before the road can be opened?

Mr. STEPHENS of Nebraska. Yes; and their rights will be amply safeguarded without that, as the law in that State does that.

Mr. STAFFORD. I question whether under the bill as it is, without amendment, they would be safeguarded.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, lines 7 and 8, after the word "reservation," insert the words "the Ponca Indian Reservation."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. I understand the gentleman's amendment to be an amendment to the next committee amendment?

Mr. STEPHENS of Nebraska. Yes.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, after the word "road," insert: "Provided, That such road authorities shall, in addition to notifying the landowners as provided in the State laws, likewise serve notice upon the superintendent in charge of the restricted Indian lands upon which it is proposed to lay out a public road, and shall also furnish him with a map drawn on tracing linen showing the definite location and width of such proposed road."

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from Nebraska [Mr. STEPHENS] to the committee amendment.

The Clerk read as follows:

After the word "road," at the end of the committee amendment, strike out the period, insert a comma, and insert "and no such road shall be laid out until after it has received the approval of such superintendent."

The SPEAKER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The SPEAKER. The question now is on agreeing to the committee amendment as amended.

The committee amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill to authorize the laying out and opening of public roads on the Winnebago, Omaha, Ponca, and Santee Sioux Indian Reservations in Nebraska."

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote by which the bill was passed, was laid on the table.

LEAVE OF ABSENCE TO HOMESTEAD SETTLERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 2316) authorizing leave of absence to homestead settlers upon unsurveyed lands.

The Clerk read the bill, as follows:

Be it enacted, etc., That any qualified person who has heretofore or shall hereafter in good faith make settlement upon and improve unsurveyed lands of the United States with intention, upon survey, of entering same under the homestead laws shall be entitled to a continuous leave of absence from the land settled upon by him for a period not exceeding five months in each year after establishment of residence: *Provided,* That he shall have plainly marked the exterior boundaries of the lands claimed and have filed in the local land office notice of the approximate location of the lands settled upon and claimed, of the period of intended absence, and that he shall upon the termination of the absence and his return to the land file notice thereof in the local land office.

With the following committee amendments:

Page 1, line 5, after the word "unsurveyed," insert the words "unreserved unappropriated public."

Lines 10 and 11, after the word "marked," insert the words "on the ground."

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. STOUT. Mr. Speaker, I will ask the gentleman to reserve his objection for a moment.

Mr. MANN. Very well; I reserve the objection.

Mr. STOUT. There are thousands of people out in the public-land States of the West who go out there and settle on this unsurveyed land. They settle in sections where the land has not been surveyed. It is the only kind of land that they can settle on in that particular section. It is financially impossible for this Government to survey this land as fast as the people want to settle on it. Thousands and tens of thousands of acres of the very best land in my State is unsurveyed land. These people locate on it, and in many instances they have put in improvements running into thousands of dollars, expecting to and always do file on the land under the preference right given them by law.

All that this bill grants is simply these people shall have a leave of absence to leave their claims. Under the present statute if they leave them for only one night and somebody else goes and jumps it they are out all the work and improvements they put upon it. I certainly can not see any possible reason for objecting to the bill, and I think upon consideration the gentleman will not object.

Mr. BURKE of South Dakota. I will ask the gentleman if this bill does more for a settler who is upon unsurveyed land than the law grants a settler upon lands which are surveyed and under entry.

Mr. STOUT. It does just the same, exactly.

Mr. MANN. Let us see whether it does or not. A man goes on unsurveyed land for a homestead and he files an entry, does he not? A man goes on and squats on a piece of land and does not file anything. No; he does not file a thing.

Mr. STEPHENS of Texas. Will the gentleman permit—

Mr. MANN. I am asking this gentleman a question; if he prefers to let the gentleman from Texas ask me one, I am perfectly willing. In the one case there can be no controversy about what the land is, because the man has filed on the surveyed land. On the other hand, there is no one knows what the land is, except he knows the boundary line—which may be changed overnight, by the way. Now, there is that difference, is there not?

Mr. STOUT. Yes; there is that difference.

Mr. MANN. Is all the surveyed land in Montana settled upon?

Mr. STOUT. Oh, no; no, sir.

Mr. MANN. Does the gentleman know how rapidly they are surveying the lands now?

Mr. STOUT. Well, I will say to the gentleman, this is not a Montana bill; this is a general bill.

Mr. MANN. Well, I know; but I thought the gentleman might be glad for me to ask him a question about his own State. I did not believe he would know how much unsurveyed lands there were in Florida.

Mr. STOUT. Will the gentleman please ask his question again?

Mr. MANN. I asked the gentleman how much surveyed land there was in his own State, and how much there was not settled upon.

Mr. STOUT. I do not recall; but the Land Office records have that. But no doubt now there are great areas of land which have been surveyed but which have not been settled upon.

Mr. MANN. Does the gentleman know how rapidly they are surveying the lands in his State?

Mr. STOUT. They spent last year \$50,000 for the surveying of lands in Montana. I do not recall exactly the acreage, but it is quite large.

Mr. MANN. I am willing to do all I can to help the gentleman have his lands surveyed.

Mr. STOUT. Well, I really do not believe that the gentleman's objection to this bill is well taken. I can not see any reason why these people should not have the right to leave these claims for a while.

Mr. MANN. This would inevitably happen—it used to happen years ago. Here a man goes and squats on a piece of land. There is no record of it anywhere. He is required to put up under this bill some kind of a boundary line. If he goes away for five months and somebody else changes the boundary line, there is not only a row but probably bloodshed, and that would happen constantly, and I do not see any reason why we should encourage it.

Mr. STOUT. I will say, Mr. Speaker, we have hundreds—I suspect, thousands—of people squatting at the present time on unsurveyed lands—

Mr. MANN. Oh, but they stay on the land.

Mr. STOUT (continuing). In our State.

Mr. MANN. They stay on the land. These controversies will arise if you let them go away for half a year.

Mr. STOUT. I think the gentleman is assuming a case which is very far-fetched and not likely to happen at all. I know this will grant relief to vast numbers of people throughout the West.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

LEASING PRIVILEGES FOR HOTELS, YOSEMITE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1694) to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations."

The bill was read.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

GEORGE FREDERICK KUNZ.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 249) for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission.

LEASING PRIVILEGES FOR HOTELS, YOSEMITE NATIONAL PARK.

Mr. RAKER. Mr. Speaker, on the other bill I did not rise at the time and we have gone on this bill. I know my friend from Illinois, if he would hear the report on this bill, would recognize the fact—

Mr. MADDEN. I have read the report and all connected with it, and I do not believe the Government of the United States ought to authorize any such lease as this bill provides or authorize anybody to make mortgages or to authorize the Department of the Interior to accept mortgages or to authorize such conditions as the bill provides for in any way, so I insist on my objection.

Mr. RAKER. Will not the gentleman withhold it for just a minute and give me a little opportunity?

Mr. MADDEN. I have no objection, Mr. Speaker, to the gentleman explaining.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] has an absolute right to object.

Mr. RAKER. I am just asking him if he will not withhold it.

Mr. MADDEN. I have no objection to withholding the objection for a moment to give the gentleman an opportunity.

Mr. RAKER. That is very kind of him. I appreciate it very much. In regard to this, Mr. Speaker, I want to be heard just a moment.

The SPEAKER. This is the bill that just preceded the last one?

Mr. RAKER. Yes; the one that is on the calendar as No. 1694. This bill is recommended by the conservation people.

Mr. MADDEN. Who are they?

Mr. RAKER. Mr. Fisher, ex-Secretary of the Interior; Mr. Lane—

Mr. MADDEN. Does that make it any better?

Mr. RAKER. I am just giving a list of the men who approve such legislation.

Mr. MADDEN. I submit to the gentleman from California that we are elected here by the people to decide questions upon their merit and as to their advisability, and we are here exercising the right we have on the floor. It is not necessary at all for us to obey instructions from anybody on the outside as to what is right or what is not right.

Mr. RAKER. That is true. The gentleman has withheld his objection, and has been very kind to-day, as usual, and I just wanted to say a few words, thinking that the gentleman and the rest of the Members of the House might permit this bill to be considered to-day. It had, last year, the unanimous support of ex-Secretary Fisher and of all the department officials, and it has to-day the favorable report of the Secretary of the Interior, and in that report he makes this statement—I think it is worth while to call it to the attention of the House:

DEPARTMENT OF THE INTERIOR,
Washington, June 10, 1913.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR SIR: Your letter has been received, submitting, with request for report thereon, House bill 1694, entitled "A bill to amend an act approved October 1, 1890, entitled 'An act to set apart certain tracts of land in the State of California as forest reservations.'"

In response I have to state that this bill is substantially the same as Senate bill 8279 (62d Cong., 2d sess.), which was reported upon favorably by this department under date of January 25, 1913 (copy herewith embodied in S. Rept. No. 1163), and which bill subsequently passed the Senate on January 29, 1913.

Now, listen, my brother from Illinois:

The enactment of this bill into law will be in the interest of better administration of affairs in the Yosemite National Park, and I therefore recommend the early and favorable consideration thereof by your committee.

Very truly, yours,

FRANKLIN K. LANE.

Mr. MADDEN. I insist on my objection, Mr. Speaker.

Mr. RAKER. How is that?

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] insists on his objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent—

The SPEAKER. To do what?

Mr. RAKER. That I may extend my remarks in the RECORD upon this bill.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks upon this bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk will now report the bill which he first started to report.

GEORGE FREDERICK KUNZ.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 249) for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission.

The resolution was read, as follows:

Resolved, etc., That the vacancy in the commission for the erection of a memorial to the North American Indian caused by the death of Robert C. Ogden shall be filled by the appointment of George Frederick Kunz, of New York.

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. MANN. Mr. Speaker, reserving the right to object, having read the very complete report of the committee on this, would the distinguished gentleman from Massachusetts [Mr. THACHER], now representing this great committee, give us some little information?

Mr. THACHER. I shall be glad to do so. I think the gentleman from Illinois [Mr. MANN] will probably recall that the Sixty-second Congress authorized Mr. Redman Wanamaker to erect at his own expense on a United States reservation in the harbor of New York a suitable memorial to the memory of the North American Indian, and the act of December 8, 1911, created a commission consisting of five persons, including the chairman of the Committee on the Library of the House, the chairman of the Committee on the Library of the Senate, the Secretary of War, the Secretary of the Navy, and Mr. Robert C. Ogden, of New York, to superintend the construction of this memorial, without expense whatever to the Government.

Mr. MANN. Who is George Frederick Kunz?

Mr. THACHER. Mr. George Frederick Kunz is a distinguished gentleman of New York. I believe he is well conversant with matters relating to art and in every way qualified to serve on the commission, and as Mr. Ogden died the place will naturally have to be filled. The memorial has not been erected yet, and there is a vacancy on this commission. In behalf of the Committee on the Library I ask permission of the House to have the vacancy filled.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the House joint resolution.

The resolution was ordered to be engrossed and read a third time, was read a third time, and passed.

LEAVE TO EXTEND REMARKS.

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the educational bill (H. R. 9042) that was passed here a little earlier in the afternoon.

The SPEAKER. The gentleman from Tennessee [Mr. McKELLAR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

SETTLERS ON FORT BERTHOLD AND OTHER INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4632) for the relief of settlers on the Fort Berthold Indian Reservation, in the State of North Dakota, and the Cheyenne River and Standing Rock Indian Reservations, in the States of South Dakota and North Dakota.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to extend for a period of one year the time for the payment of any annual installment due, or hereafter to become due, on the purchase price for lands sold under the act of Congress approved June 1, 1910, entitled "An act to authorize the survey and allotment of lands embraced within the limits of the Fort Berthold Reservation, in the State of North Dakota, and the sale and disposition of a portion of the surplus lands after allotment, and making ap-

propriation and provision to carry the same into effect," and any payment so extended may annually thereafter be extended for a period of one year in the same manner: *Provided*, That the last payment and all other payments must be made within a period not exceeding one year after the last payment becomes due by the terms of the act under which the entry was made: *Provided further*, That any and all payments must be made when due, unless the entryman applies for an extension and pays interest for one year, in advance, at 5 per cent per annum upon the amount due as herein provided, and patent shall be withheld until full and final payment of the purchase price is made in accordance with the provisions hereof: *And provided further*, That failure to make any payment that may be due, unless the same be extended, or to make any extended payment at or before the time to which such payment has been extended, as herein provided, shall forfeit the entry and the same shall be canceled, and any and all payments theretofore made shall be forfeited.

Sec. 2. That the provisions of the act of April 13, 1912, entitled "An act extending the time of payment to certain homesteaders on the Cheyenne River Indian Reservation, in the State of South Dakota, and on the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota," shall apply to all homestead entries for said lands heretofore or hereafter made in the same manner it applies, by its terms, to entries made before its passage.

With committee amendments as follows:

Page 1, line 4, strike out the words "and directed."

Page 2, line 4, after the word "effect," insert the following: "the act of Congress approved May 27, 1910, entitled 'An act to authorize the sale and disposition of the surplus and unallotted lands in Bennett County, in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation to carry the same into effect,' and the act approved May 30, 1910, entitled 'An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in Mellette and Washabaugh Counties, in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect.'"

Page 3, line 14, strike out the word "said" after the word "for" and insert after the word "lands" the words "in said reservations."

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object, Mr. Speaker, this bill, as I understand, is to permit settlers on the Fort Berthold and Standing Rock Indian Reservations to delay for a period of one year the time for paying annual installments on the purchasing price of lands in those reservations. I would like to inquire of the gentleman from South Dakota [Mr. BURKE] if this includes a part of the reservation that was opened a year or two ago—a part of the Standing Rock Indian Reservation?

Mr. BURKE of South Dakota. It does not include the part of the Standing Rock Indian Reservation that was authorized to be opened a year or two ago. In fact, that has not been opened yet to settlement.

Mr. FOSTER. It is the one that was to be opened under the act passed previous to that time?

Mr. BURKE of South Dakota. Yes, sir.

Mr. FOSTER. The report says that by failure of crops in the last two or three years these people have no money and can not pay, and that they will probably abandon their claims unless the Government gives them an extension for another year. Does the gentleman think that South Dakota is going in the next year to be able to overcome the drought and enable these people to pay the interest and principal?

Mr. BURKE of South Dakota. I will say to the gentleman that if the same conditions obtain in the next few years that have obtained the last three years these lands will never be paid for at the price at which the settlers have entered them and have undertaken to pay. The lands were appraised at a time when conditions were favorable from the standpoint of more rainfall than we usually have in that section of the State, and at a time when there was a great demand for land, and the prices were fixed under the homestead law at as high as \$6 an acre.

Now, settlers went in there and were required under the law to pay one-fifth of the purchase price at the time they made their entries. Following their settlement came a condition of drought that has continued for three years, and in this section of South Dakota there has been practically nothing raised, I will say to the gentleman, in the last three years.

What we are endeavoring to do by this bill is to make it possible, if such a thing is possible, that these people may save what they have already paid, and that they may be able to pay this price, which is more than can be obtained for the lands again if the settlers should abandon them—which they will do unless we accord them this relief.

Mr. FOSTER. What has become of the opening of the Standing Rock Indian Reservation? In the bill that was passed in the last Congress it was proposed to open for settlement the balance of the unallotted lands there and sell them off. Now, is the Government going ahead and taking action in reference to that remaining portion of the reservation?

Mr. BURKE of South Dakota. Under that law there were a number of things that had to be done before the land was actually offered for sale and entry. Among other things were some allotments to the Indians. Then the State was given a certain time to make selections of lands in lieu of sections 16

and 36, which had been allotted. These preliminaries have not been concluded and the proclamation has not yet issued.

Mr. FOSTER. Are these lands that have been sold of the same character as the lands that are proposed to be sold?

Mr. BURKE of South Dakota. Substantially the same, except that the lands that are proposed to be sold are not as desirable, I think, as these lands, because they are remnants left of a large area after the Indians have been allotted, and so much of it has been allotted that these tracts that are left are undesirable, and my opinion is that very little of it will be taken under the homestead law.

Mr. FOSTER. It seems to me I remember distinctly that in the last Congress the gentleman from South Dakota [Mr. BURKE] was very insistent on opening for settlement the remaining part of these unallotted lands. It seemed to me at that time that it ought not to be done; but in the course of legislation it was passed, and I suppose in due course of time the lands will be put up for sale and sold to some settlers; which probably would be a good thing, except now it develops that this country is so dry, on account of lack of rainfall, that they can not pay for these lands. So I wonder what is to be done with all the other lands when they are put up for sale.

Mr. BURKE of South Dakota. There is not very much land to be disposed of. I will say to the gentleman that I think about 150,000 to 200,000 acres in an area of about 1,300,000 acres are all that remain. Over 1,000,000 acres of that area have been allotted to the Indians, and the Indians have all received their allotments.

Mr. FOSTER. I want to say to the gentleman from South Dakota, on the statement he makes that these lands will probably go back to the Government, and that these people are really in distress—

Mr. MANN. The Government does not own these lands?

Mr. BURKE of South Dakota. The Government does not own them. The Government is undertaking to dispose of these lands for the benefit of the Indians.

Mr. FOSTER. Certainly. I understand.

Mr. BURKE of South Dakota. And instead of giving the money to the Indians, under the agreement of 1889, so far as these reservations in South Dakota are concerned, the money goes into the Treasury, and we appropriate it for the support and civilization of the Indians.

Mr. FOSTER. Yes; I understand that.

Mr. BURKE of South Dakota. Thereby relieving the Treasury to that extent.

Mr. FOSTER. Yes; I understand that.

Mr. MANN. Will the gentleman yield for just a moment?

Mr. FOSTER. Yes.

Mr. MANN. Mr. Speaker, we have had a lot of these cases at different times where we have required the payments to be made in the course of three, four, or five years, and then have extended the time. I think in nearly every one of those cases the land has finally been taken by the settlers, because the people go upon the land and go ahead and cultivate it. At first they do not succeed in getting very good crops. They get behind in the payments which they are required to make. Then we extend the time, and, while the extension is nominally for one year, it is extended again for another year if it is not paid until the last payment comes due.

Mr. BURKE of South Dakota. Automatically.

Mr. MANN. And when the last payment comes due, if they have been able to do anything at all with the land and if things are not very adverse, they are able to borrow money upon their own credit and the credit of the land, enough to pay for it. That has been the history in all these cases since I have been in the House, and there have been a number of them.

Mr. FOSTER. Then, as I understand from my colleague, they buy these lands at, say, \$6 an acre?

Mr. MANN. Yes.

Mr. FOSTER. They pay so much each year.

Mr. BURKE of South Dakota. One-fifth.

Mr. MANN. That is the requirement.

Mr. FOSTER. But, if we grant an extension of time, it goes over, and they get the use of these lands for 5 per cent upon the \$6 an acre; and then, if at the end of the time they do not desire to pay for them, the land goes back to the Government.

Mr. MANN. The land goes back to the Indians.

Mr. FOSTER. For the benefit of the Indians.

Mr. STEPHENS of Texas. And, I will say, to the gentleman also, if he will permit—

Mr. MANN. But, as a matter of fact, the settlers finally take them, if they have been at all successful, so that they are able to get the money to pay for them.

Mr. BURKE of South Dakota. When a new country has once been abandoned because settlers are unable to maintain

themselves there, it is almost impossible to get another lot of people to go in under any conditions. Consequently, unless these settlers pay up, these lands will have to be disposed of at a very much smaller price than will be received if those now there pay the amount that they have agreed and are trying to pay.

Mr. MANN. Whether the lands are disposed of at a less price or not, settlers have to pay the same rate of interest, or a higher rate in some cases than would be paid if they paid the cash into the Treasury and the Government paid the interest. So the Indians do not lose anything by it.

Mr. FOSTER. I understand that.

Mr. BURKE of South Dakota. They get 2 per cent the best of it.

Mr. STEPHENS of Texas. Nearly all of them have put improvements on the land, and it will be a great hardship if they should lose out because of inability to make the payments.

Mr. FERRIS. Mr. Speaker, I am in favor of these extensions of time for settlers. I have asked for a good many of them for my own State, and Congress has granted them a number of times. But here you include in this instance some five or six Indian reservations and in two States. Is not that job-lotting them a little more than we have ever done before? Are these conditions in each case identical?

Mr. BURKE of South Dakota. Yes; substantially the same, because they are all west of the Missouri River. Fort Berthold is in North Dakota, the portion of the Standing Rock Reservation affected by this bill is in South Dakota, and so are the other three reservations mentioned, namely, the Cheyenne River, Rosebud, and Pine Ridge.

Mr. FERRIS. On what terms were these lands sold? Surely not all on the same terms?

Mr. BURKE of South Dakota. In the Cheyenne River and Standing Rock Reservations the price was fixed by appraisal, the maximum being \$6 an acre. In the Pine Ridge and Rosebud the bill fixed the price, and the maximum was \$6 an acre for all land taken within a certain time, and then graduating it down to \$2.50 an acre.

Mr. FERRIS. How many extensions have they had on the Fort Berthold Reservation?

Mr. BURKE of South Dakota. I will yield to the gentleman from North Dakota, who is more familiar with that reservation.

Mr. NORTON. The entries were first made on the Fort Berthold Reservation in May, 1912. Under the law providing for the opening of these lands to homestead settlement it was required that the time of making filing of homestead entry one-fifth of the purchase price should be paid and that the next installment should become due two years after the entry was made. There has heretofore been no extension of the time of payment granted to the homestead settlers on these lands. This is the first time they have asked for any extension of the time of installment payments.

Mr. Speaker, there is urgent need for the immediate enactment of this legislation. On the Fort Berthold Reservation a considerable number of the first annual installments to be paid became due on the 4th of this month. The remainder of the first installments to become due since the first entries were made on these lands will all become due within the next few weeks. Those directly interested in and affected by this proposed legislation had hope that this bill would have been enacted into law before the 1st of the present month. However, if this bill is allowed to be considered without objection this afternoon I shall, on behalf of my constituents who are interested in the bill, be very grateful to the Members of the House and freely concede that with the overcrowded condition the House Calendar is now and has been in for the past month, we are more than fortunate in getting consideration for this measure at this time. As the gentleman from Illinois has stated, the extension of the time of payment of these installments, as provided for in this bill, will work no injustice to the Government, but will be a very large benefit to the pioneer settlers on these lands and will enable many of them to continue on these lands who otherwise would be obliged to abandon their lands and the improvements already made thereon if required to make payment of the annual installment due this spring. The amount of the installment payments due this spring on lands on the Fort Berthold Indian Reservation is approximately \$250,000. This is not by itself a large sum, but when it is remembered that the settlers on these lands have, on account of unusually dry weather in that section of the country, raised practically no crops the past three years, it is in the aggregate not only a large sum but an enormously large sum to require them to pay. Fifty or a hundred dollars is not a big sum to the man with hundreds or thousands of dollars in his pocket or at his command. On the other hand, a dollar is a mighty considerable sum to the honest, hardworking farmer,

who, through failure of his crops, may not have a dollar in his pocket and who may not be able to secure a dollar without paying for its use an exorbitant rate of interest. These are things to be kept in mind in considering this legislation, gentlemen.

Mr. FERRIS. How many extensions have there been on the Cheyenne River?

Mr. BURKE of South Dakota. They have had none, so far as the entries that were made subsequent to the act that extended the time prior to the act of 1912. Those who made entry before that act was passed, their payments were extended, but this bill does not affect them. It only affects those who have filed since or who may file hereafter.

Mr. FERRIS. You first had an opening; what year was that?

Mr. BURKE of South Dakota. The act was passed in 1908.

Mr. FERRIS. When were the lands sold?

Mr. BURKE of South Dakota. I think they went on the market the following year.

Mr. FERRIS. They have had how many, four extensions?

Mr. BURKE of South Dakota. Only one.

Mr. FERRIS. How about the Standing Rock?

Mr. BURKE of South Dakota. That is the same.

Mr. FERRIS. And the Rosebud?

Mr. BURKE of South Dakota. Not any, so far as the lands affected by this bill are concerned.

Mr. FERRIS. And the Pine Ridge?

Mr. BURKE of South Dakota. Not any.

Mr. FERRIS. The gentleman had an extension in the same omnibus bill that I had an extension in in 1912.

Mr. BURKE of South Dakota. That is the one that extended the time of the settlers on the Cheyenne River and Standing Rock.

Mr. STAFFORD. Will the gentleman yield?

Mr. FERRIS. In just a moment; I want to pursue this inquiry a little further. Now, on page 3, line 15, it seems to me that this provision is anomalous—to not only extend the time of the entries that have been made, but on those that may be made in the future. Does not the gentleman think that he is omnibussing a little too much when he provides for several reservations in two States for five or six tribes and then say that it shall not only apply to entries in the past but in the future?

Mr. BURKE of South Dakota. The department suggested that.

Mr. MANN. Let me call the gentleman's attention to the department's letter. They requested that that be done.

Mr. BURKE of South Dakota. The department found that the act passed in 1912 had worked so well that they favored making it general as to these reservations. It means the payment of interest in advance at 2 per cent more than the fund would receive credit for if extensions are not granted and the payments should be made and the money deposited in the Treasury.

Mr. FERRIS. You get 5 per cent for money in the bank?

Mr. BURKE of South Dakota. Three in South Dakota and 4 in North Dakota for money deposited in the Treasury.

Mr. FERRIS. They make them bid for it in my State.

Mr. BURKE of South Dakota. They do not bid in the Dakotas, as far as the tribal funds are concerned; they go into the Treasury, where, I think, they ought to go.

Mr. STAFFORD. I would like to inquire of the gentleman what has been the effect of deferred payments of settlement in his State. Here is a bill that authorizes the deferring of all the payments until the last, drawing interest thereon at 5 per cent.

Mr. FERRIS. We did not proceed in quite that way. We came in one year at a time. We had one year extension and then conditions were bad, crops failed, and we had to come back again. Settlers, as a rule, never pay until they have to.

Mr. BURKE of South Dakota. How many extension acts have there been affecting the Kiowas and Comanches?

Mr. FERRIS. I think three or four.

Mr. BURKE of South Dakota. Was it not that condition that suggested the automatic extension in the act of 1912?

Mr. FERRIS. I think there was a small reservation in the district of the gentleman from Oklahoma [Mr. MORGAN] that was applied in this way.

However, I wish the gentleman could inject something into this legislation that would keep off the scramble for free homes. It seems the longer you extend the payments, the worse they want the free homes, and the gentleman is afflicted with the same complaint in his State that we are in our State.

Mr. STEPHENS of Texas. Is it not a fact that in the Southwest—in the gentleman's country—and extending up to the Dakotas, it is very often the case that we will have two

or three years of drought and then three or four years of good crops?

Mr. FERRIS. That is true.

Mr. STEPHENS of Texas. Are we not now at about the end of two or three years of bad crops?

Mr. FERRIS. That is true. During the last three or four years in Oklahoma and in the gentleman's State drought has been very severe.

Mr. STAFFORD. This bill leaves it optional with the settler to extend the payments, whether there are droughts or not, provided he pays interest of 5 per cent in advance.

Mr. STEPHENS of Texas. Is it not a fact that the deferring of these payments does not take any money from the Indians, but leaves the payments in the Treasury for the benefit of the Indians?

Mr. FERRIS. That is true, and in the main they are making the land more valuable rather than wearing it out. Some time ago when I tried to get through a bill for an extension some one objected upon the ground that they were wearing the land out.

Mr. STEPHENS of Texas. Is it not a fact that the selling of these lands in this way will prevent a great many people from going to Canada and elsewhere?

Mr. FERRIS. Yes; I have no doubt the matter of extending payments is a wise course. It is a tough proposition to try to hold down a claim for the first two or three or four years. The first three or four years they do not get anything off the land but a little fodder and stuff like that, which does not bring them in any money. The thought that made me rise to interrogate the gentleman is that there is such a lot of stuff omnibussed together, embodying two whole States and five or six reservations, all of which were sold under different acts of Congress.

Mr. STEPHENS of Texas. Is not the gentleman aware of the fact that these reservations are adjoining, and the same climatic conditions governing one will govern them all?

Mr. FERRIS. Oh, certainly. There is one thing more I desire to ask the gentleman from South Dakota. Does the gentleman from South Dakota really think that he ought to have the provision in providing for an extension even before the entry is made? Does the gentleman think we ought to make a law applicable to a man who has not even taken up any sort of relations with the Federal Government?

Mr. BURKE of South Dakota. Mr. Speaker, unless you put it in we will be back here again with another bill. The department has suggested, to avoid confusion, that we ought to have uniformity.

Mr. FERRIS. I know, but it does not do the settler a great deal of harm to come back to Congress occasionally. You might put these payments off for so long a time that you would never get them.

Mr. BURKE of South Dakota. It is put off only one year after the last payment is due.

Mr. FERRIS. I notice that, and that of course gets your money one year after it would have become due, so I guess it is not as bad as I at first thought.

Mr. FOSTER. I suggest that Congress has been pretty liberal about making these extensions when necessary, but I am not going to object.

Mr. MANN. These payments are due now.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 4, strike out the words "and directed."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 4, after the word "effect," insert the following: "the act of Congress approved May 27, 1910, entitled 'An act to authorize the sale and disposition of the surplus and unallotted lands in Bennett County, in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation to carry the same into effect,' and the act approved May 30, 1910, entitled 'An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in Mellette and Washabaugh Counties, in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect.'"

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.
The Clerk read as follows:

Page 3, line 14, strike out the word "said" and insert, after the word "lands," the following: "in said reservations."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read: "An act for the relief of settlers on the Fort Berthold, Cheyenne River, Standing Rock, Rosebud, and Pine Ridge Indian Reservations, in the States of North and South Dakota."

Mr. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT OF CERTAIN FIRE CLAIMS, ROSEBUD INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2156) to authorize the payment of certain claims for damages sustained by prairie fire on the Rosebud Indian Reservation, S. Dak.

The bill was read.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to have the gentleman from South Dakota—

Mr. FOSTER. Mr. Speaker, I think this is a claims bill and ought not to be here, and I object.

Mr. MANN. It is here properly enough.

Mr. FOSTER. I know it is here, but I do not think it has any right to be here.

Mr. MANN. I agree with the gentleman.

The SPEAKER. Is there objection?

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects.

TENTS FOR AGRICULTURAL AND MECHANICAL COLLEGE, TEXAS.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 232) authorizing the Secretary of War to transfer from stock on hand for use of the Army to the State of Texas for the use of the agricultural and mechanical college of said State 95 wall tents.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to transfer from stock on hand for the use of the Army to the State of Texas for the use of the agricultural and mechanical college of said State 95 wall tents to replace an equal number of wall tents supplied by said college for the use of the flood sufferers in the Brazos River bottom, State of Texas, in the year 1913, and which were afterwards condemned, such tents to be as nearly as practicable of the same quality and value as those supplied by said college, or in lieu thereof to supply from stock on hand for the use of the Army the equivalent in value in obsolete or shelter tents.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to have the gentleman from Texas explain the reason why the Federal Government should furnish these tents lost when the Federal Government was there doing work for the benefit of the State of Texas at that time?

[Mr. HARDY addressed the House. See Appendix.]

Mr. FOSTER. Well, I do not believe in doing business in that way. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] objects. The Clerk will report the next bill.

TERMS OF COURT AT ERIE, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15190) to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act of Congress approved March 3, 1913.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 103 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act of Congress approved March 3, 1913, be, and the same is hereby, amended so as to read as follows:

"Sec. 103. That the State of Pennsylvania is divided into three judicial districts, to be known as the eastern, middle, and western districts of Pennsylvania. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill. Terms of the district court shall be held at Philadelphia on the second Mondays in March and June, the third Monday in September, and the second Monday in December, each term to continue until the succeeding term begins. The middle district shall include the territory embraced on the 1st day of July, 1910, in the counties of Adams, Bradford, Cameron, Carbon, Center, Clinton, Columbia, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata,

Lackawanna, Lebanon, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northumberland, Perry, Pike, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York. Terms of the district court shall be held at Scranton on the second Monday in March and the third Monday in October, at Harrisburg on the first Mondays in May and December, at Sunbury on the second Monday in January, and at Williamsport on the first Monday in June. The clerk of the court for the middle district shall maintain an office, in charge of himself or a deputy, at Harrisburg, and civil suits instituted at that place shall be tried there, if either party resides nearest that place of holding court, unless by consent of parties they are removed to another place for trial. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland. Terms of the district court shall be held at Pittsburgh on the first Monday of May and the first Monday of November, and sessions of the court shall be held at Erie on the third Monday of March and the third Monday of September. The clerk and marshal of said district shall have their principal offices at Pittsburgh, and shall maintain by themselves or by their deputies offices at Erie.

"The clerk shall place all cases in which the defendants reside in the counties of said district nearest Erie, upon the trial list for trial at Erie, where the same shall be tried, unless the parties thereto stipulate that the same may be tried at Pittsburgh."

The SPEAKER. Is there objection?

There was no objection.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I wish to offer a formal amendment. There is a surplus word in the first line on page 3, the word "of," after the word "unless." I move to strike out the word "of."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, line 1, by striking out the word "of" after the word "unless."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GRAHAM of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AVIATION SERVICE OF THE ARMY.

Mr. HAY. Mr. Speaker, were it not for the fact that conditions exist of a very grave character, I would not at this time ask the House to take up this bill which I am now going to ask to be considered by unanimous consent. It is the House bill 5304, to increase the efficiency of the aviation service of the Army, and for other purposes.

The SPEAKER. The gentleman from Virginia [Mr. HAY] asks unanimous consent to take up for present consideration House bill 5304, which the Clerk will report.

Mr. HAY. It is a long bill; and if anybody is going to object, I think it would be better for him to object now.

Mr. STAFFORD. I think the bill ought to be reported, Mr. Speaker.

Mr. HAY. Mr. Speaker, I move to suspend the rules and pass the bill.

Mr. STAFFORD. I do not wish to object to the consideration of the bill, I will say to the gentleman.

Mr. HAY. Very well. I ask, Mr. Speaker, that the Clerk may report the bill as it is reported by the committee.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That there shall be, and there is hereby, created an Aviation Corps, which shall be a part of the line of the Army, and in which there shall be officers in number, and with rank while serving in said corps as follows, to wit—

Mr. MANN. Mr. Speaker, I suggest to the gentleman that his motion to suspend the rules be to pass the House substitute, so that the original bill will not have to be read.

Mr. HAY. I ask that the bill as reported by the committee be read instead of the original bill.

The SPEAKER. The Clerk will report the bill as reported by the committee.

The Clerk read as follows:

That there shall hereafter be, and there is hereby created, an aviation section, which shall be a part of the Signal Corps of the Army, and which shall be, and is hereby, charged with the duty of operating or supervising the operation of all military air craft, including balloons and aeroplanes, all appliances pertaining to said craft, and signaling apparatus of any kind when installed on said craft; also with the duty of training officers and enlisted men in matters pertaining to military aviation.

Sec. 2. That, in addition to such officers and enlisted men as shall be assigned from the Signal Corps at large to executive, administrative, scientific, or other duty in or for the aviation section, there shall be in said section aviation officers not to exceed 60 in number, and 260 aviation enlisted men of all grades; and said aviation officers and aviation enlisted men, all of whom shall be exclusively engaged on duties pertaining to said aviation section, shall be additional to the officers and

enlisted men now allotted by law to the Signal Corps, the commissioned and enlisted strengths of which are hereby increased accordingly.

The aviation officers provided for in this section shall, except as hereinafter prescribed specifically to the contrary, be selected from among officers holding commissions in the line of the Army with rank below that of captain, and shall be detailed to serve as such aviation officers for periods of four years, unless sooner relieved, and the provisions of section 27 of the act of Congress approved February 2, 1901 (31 Stat., p. 755) are hereby extended so as to apply to said aviation officers and to the vacancies created in the line of the Army by the detail of said officers therefrom, but nothing in said act or in any other law now in force shall be held to prevent the detail or redetail at any time to fill a vacancy among the aviation officers authorized by this act, of any officer holding a commission in the line of the Army with rank below that of captain, and who, during prior service as an aviation officer in the aviation section, shall have become especially proficient in military aviation.

There shall also be constantly attached to the aviation section a sufficient number of aviation students to make, with the aviation officers actually detailed in said section under the provisions of this act, a total number of 60 aviation officers and aviation students constantly under assignment to, or detail in, said section. Said aviation students, all of whom shall be selected on the recommendation of the chief signal officer from among unmarried lieutenants of the line of the Army not over 30 years of age, shall remain attached to the aviation section for a sufficient time, but in no case to exceed one year, to determine their fitness or unfitness for detail as aviation officers in said section, and their detachment from their respective arms of service which under assignment to said section shall not be held to create in said arms vacancies that may be filled by promotions or original appointments: *Provided*, That no person, except in time of war, shall be assigned or detailed against his will to duty as an aviation student or an aviation officer: *Provided further*, That whenever, under such regulations as the Secretary of War shall prescribe and publish to the Army, an officer assigned or detailed to duty of any kind in or with the aviation section shall have been found to be inattentive to his duties, inefficient, or incapacitated from any cause whatever for the full and efficient discharge of all duties that might properly be imposed upon him if he should be continued on duty in or with said section, said officer shall be returned forthwith to the branch of the service in which he shall hold a commission.

SEC. 3. That the aviation officers hereinbefore provided for shall be rated in two classes, to wit, as junior military aviators and as military aviators. Within 60 days after this act shall take effect the Secretary of War may, upon the recommendation of the Chief Signal Officer, rate as junior military aviators any officers with rank below that of captain, who are now on aviation duty and who have, or shall have before the date of rating so authorized, shown by practical tests, including aerial flights, that they are especially well qualified for military aviation service; and after said rating shall have been made the rating of junior military aviator shall not be conferred upon any person except as hereinafter provided.

Each aviation student authorized by this act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of 25 per cent in the pay of his grade and length of service under his line commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 50 per cent in the pay of his grade and length of service under his line commission. The rating of military aviator shall not be hereafter conferred upon or held by any person except as hereinafter provided, and the number of officers with that rating shall at no time exceed 15. Each military aviator who shall hereafter have duly qualified as such under the provisions of this act shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 75 per cent of the pay of his grade and length of service under his line commission.

The aviation enlisted men hereinbefore provided for shall consist of 12 master signal electricians, 12 first-class sergeants, 24 sergeants, 78 corporals, 8 cooks, 82 first-class privates, and 44 privates. Not to exceed 40 of said enlisted men shall at any one time have the rating of aviation mechanic, which rating is hereby established, and said rating shall not be conferred upon any person except as hereinafter provided: *Provided*, That 12 enlisted men shall, in the discretion of the officer in command of the aviation section, be instructed in the art of flying, and no enlisted man shall be assigned to duty as an aerial flyer against his will except in time of war. Each aviation enlisted man, while on duty that requires him to participate regularly and frequently in aerial flights, or while holding the rating of aviation mechanic, shall receive an increase of 50 per cent in his pay: *Provided further*, That, except as hereinafter provided in the case of officers now on aviation duty, no person shall be detailed as an aviation officer, or rated as a junior military aviator, or as a military aviator, or as an aviation mechanic, until there shall have been issued to him a certificate to the effect that he is qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case, and no such certificate shall be issued to any person until an aviation examining board, which shall be composed of 3 officers of experience in the aviation service and 2 medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case: *Provided further*, That the Secretary of War shall cause appropriate certificates of qualification to be issued by The Adjutant General of the Army to all officers and enlisted men who shall have been found and reported by aviation examining boards in accordance with the terms of this act, to be qualified for the details and ratings for which said officers and enlisted men shall have been examined: *Provided further*, That except as hereinafter provided in the cases of officers who are now on aviation duty and who shall be rated as junior military aviators as hereinafter authorized, no person shall be detailed for service as an aviation officer in the aviation section until he shall have served creditably as an aviation student for a period to be fixed by the Secretary of War; and no person shall receive the rating of military aviator until he shall have served creditably for at least three years as an aviation officer with the rating of junior military aviator: *Provided further*, That there shall be paid to the widow of any officer or enlisted man who shall die as the result

of an aviation accident, not the result of his own misconduct, or to any other person designated by him in writing, an amount equal to one year's pay at the rate to which such officer or enlisted man was entitled at the time of the accident resulting in his death, but any payment made in accordance with the terms of this proviso on account of the death of any officer or enlisted man shall be in lieu of and a bar to any payment under the acts of Congress approved May 11, 1908, and March 3, 1909 (35 Stat., pp. 108 and 755), on account of death of said officer or enlisted man.

SEC. 4. That all laws and parts of laws, so far as they are inconsistent with the terms of this act, be, and they are hereby, repealed.

SEC. 5. This act shall take effect 30 days after the date of its approval by the President.

The SPEAKER. Is there objection?

Mr. HAY. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Virginia [Mr. HAY] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HAY. Mr. Speaker, I move to amend the bill, on page 5, line 21, by striking out the word "is."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Virginia.

Mr. MANN. The word "is" is in the singular number, and it is all right.

Mr. HAY. Mr. Speaker, I withdraw my motion to amend.

The SPEAKER. The gentleman from Virginia withdraws his amendment. Is there any other amendment?

Mr. HAY. Mr. Speaker, I move to strike out section 5 of the bill.

The SPEAKER. The gentleman from Virginia moves to strike out section 5 of the bill.

Mr. MANN. Section 5 of the committee amendment, the gentleman means.

Mr. HAY. Yes; section 5 of the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, lines 12 and 13, strike out section 5, as follows:

"This act shall take effect 30 days after the date of its approval by the President."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HAY. Now, Mr. Speaker, it has been suggested that I make a brief statement as to what this bill does. Under this bill there will be added to the Army 60 officers, who will have the rank of first and second lieutenants, and there will be added 260 men to the enlisted strength of the Army.

The bill will ultimately cost \$279,994.50 a year.

Mr. MANN. And that will be the cheapest money we spend for the Army.

Mr. HAY. The bill has been very carefully drawn, and I believe it meets with the approval of the War Department. It is a bill for the purpose of establishing a military aviation corps, which will be under the Signal Corps of the Army. We are very much behind every other first-class power in the world in aviation. As an illustration of that I will point out that Germany has spent \$28,000,000 on aviation. France has spent \$22,000,000. Russia has spent \$12,000,000. Italy has spent \$3,000,000. Austria has spent \$5,000,000. England \$3,000,000. Belgium \$2,000,000. Japan \$1,500,000, and the United States only \$435,000. So that we are very far behind other countries in the development of aviation, which is now so important, and which, I may say, has practically revolutionized modern warfare. For 1913 France appropriated \$7,400,000. Germany \$5,000,000. Russia \$5,000,000. England \$3,000,000. Japan \$1,000,000. Italy \$2,100,000. Mexico \$400,000, and the United States \$125,000.

Mr. AUSTIN. Will the gentleman yield?

Mr. HAY. Yes.

Mr. AUSTIN. Will the gentleman tell us how those appointments of officers in this corps are to be made?

Mr. HAY. The officers are to be detailed from the line by the President.

Mr. MADDEN. This does not add to the number of officers in the Army, then?

Mr. HAY. It does. It adds 60 officers.

Mr. MADDEN. How do we supply the shortage of the 60 who are taken from the line?

Mr. HAY. They will be filled like any other vacancies in the Army—either from the graduating class at West Point or by examination of civilians or by the examination of enlisted men.

Mr. AUSTIN. Is this a unanimous report of the Committee on Military Affairs?

Mr. HAY. Oh, yes.

Mr. STAFFORD. I notice, apart from the main proposition, that you provide for payment to the widow in case of death. In many bills the House has provided that where the widow is not living the year's allowance shall be paid to the minor children.

Mr. HAY. Yes.

Mr. STAFFORD. I should like to ask whether the committee has considered paying this to the minor children in case there is no widow living?

Mr. HAY. This is taken from the Army appropriation bill.

Mr. STAFFORD. I was not aware that that was the rule in the Army. Of course, there should be some provision made for paying to the minor children in case there is no widow living; but if this comports with the general rule in the Army, I do not wish to press an amendment at the present time.

Mr. HAY. This is taken from the Army appropriation bill.

Mr. MANN. I would suggest to the gentleman that we do not ordinarily put in what is contained in section 4, and I think it is wholly unnecessary.

Mr. HAY. That section provides:

That all laws and parts of laws, so far as they are inconsistent with the terms of this act, be, and they are hereby, repealed.

I do not now recall any particular law that is inconsistent with this act.

Mr. MANN. Of course, as a matter of fact, this act would repeal them, anyhow.

Mr. HAY. I move to strike out section 4.

Mr. MANN. It might be a little awkward to have it in there.

The SPEAKER. The gentleman from Virginia offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 12, strike out lines 9, 10, and 11.

The amendment was agreed to.

Mr. HAY. Mr. Speaker, I ask unanimous consent to extend my remarks by printing the report of the committee on this bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The report (by Mr. HAY) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 5304) to increase the efficiency of the aviation service of the Army, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with the following amendment: Strike out all after the enacting clause and insert the following:

"That there shall hereafter be, and there is hereby created, an aviation section, which shall be a part of the Signal Corps of the Army, and which shall be, and is hereby, charged with the duty of operating or supervising the operation of all military air craft, including balloons and aeroplanes, all appliances pertaining to said craft, and signaling apparatus of any kind when installed on said craft; also with the duty of training officers and enlisted men in matters pertaining to military aviation.

"Sec. 2. That, in addition to such officers and enlisted men as shall be assigned from the Signal Corps at large to executive, administrative, scientific, or other duty in or for the aviation section, there shall be in said section aviation officers not to exceed 60 in number, and 260 aviation enlisted men of all grades; and said aviation officers and aviation enlisted men, all of whom shall be exclusively engaged on duties pertaining to said aviation section, shall be additional to the officers and enlisted men now allotted by law to the Signal Corps, the commissioned and enlisted strengths of which are hereby increased accordingly.

"The aviation officers provided for in this section shall, except as hereinafter prescribed specifically to the contrary, be selected from among officers holding commissions in the line of the Army with rank below that of captain, and shall be detailed to serve as such aviation officers for periods of four years, unless sooner relieved, and the provisions of section 27 of the act of Congress approved February 2, 1901 (31 Stat., p. 755), are hereby extended so as to apply to said aviation officers and to the vacancies created in the line of the Army by the detail of said officers therefrom, but nothing in said act or in any other law now in force shall be held to prevent the detail or redetail at any time to fill a vacancy among the aviation officers authorized by this act, of any officer holding a commission in the line of the Army with rank below that of captain, and who, during prior service as an aviation officer in the aviation section, shall have become especially proficient in military aviation.

"There shall also be constantly attached to the aviation section a sufficient number of aviation students to make, with the aviation officers actually detailed in said section under the provisions of this act, a total number of 60 aviation officers and aviation students constantly under assignment to, or detail in, said section. Said aviation students, all of whom shall be selected on the recommendation of the Chief Signal Officer from among unmarried lieutenants of the line of the Army, not over 30 years of age, shall remain attached to the aviation section for a sufficient time, but in no case to exceed one year, to determine their fitness or unfitness for detail as aviation officers in said section, and their detachment from their respective arms of service which under assignment to said section shall not be held to create in said arms vacancies that may be filled by promotions or original appointments: *Provided*, That no person, except in time of war, shall be assigned or detailed against his will to duty as an aviation student or an aviation officer: *Provided further*, That whenever under such regulations as the Secretary of War shall prescribe and publish to the Army, an officer assigned or detailed to duty of any kind in or with the aviation section shall have been found to be inattentive to his duties, inefficient, or incapacitated from any cause whatever for the full and

efficient discharge of all duties that might properly be imposed upon him if he should be continued on duty in or with said section, said officer shall be returned forthwith to the branch of the service in which he shall hold a commission.

"Sec. 3. That the aviation officers hereinafter provided for shall be rated in two classes, to wit, as junior military aviators and as military aviators. Within 60 days after this act shall take effect the Secretary of War may, upon the recommendation of the Chief Signal Officer, rate as junior military aviators any officers with rank below that of captain, who are now on aviation duty and who have, or shall have before the date of rating so authorized, shown by practical tests, including aerial flights, that they are especially well qualified for military aviation service; and after said rating shall have been made the rating of junior military aviator shall not be conferred upon any person except as hereinafter provided.

"Each aviation student authorized by this act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of 25 per cent in the pay of his grade and length of service under his line commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty, requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 50 per cent in the pay of his grade and length of service under his line commission. The rating of military aviator shall not be hereafter conferred upon or held by any person except as hereinafter provided, and the number of officers with that rating shall at no time exceed 15. Each military aviator who shall hereafter have duly qualified as such under the provisions of this act shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 75 per cent of the pay of his grade and length of service under his line commission.

"The aviation enlisted men hereinafter provided for shall consist of 12 master signal electricians, 12 first-class sergeants, 24 sergeants, 78 corporals, 8 cooks, 82 first-class privates, and 44 privates. Not to exceed 40 of said enlisted men shall at any one time have the rating of aviation mechanic, which rating is hereby established, and said rating shall not be conferred upon any person except as hereinafter provided: *Provided*, That 12 enlisted men shall, in the discretion of the officer in command of the aviation section, be instructed in the art of flying, and no enlisted man shall be assigned to duty as an aerial flyer against his will except in time of war. Each aviation enlisted man, while on duty that requires him to participate regularly and frequently in aerial flights, or while holding the rating of aviation mechanic, shall receive an increase of 50 per cent in his pay: *Provided further*, That, except as hereinafter provided in the cases of officers now on aviation duty, no person shall be detailed as an aviation officer, or rated as a junior military aviator, or as a military aviator, or as an aviation mechanic until there shall have been issued to him a certificate to the effect that he is qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case, and no such certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the aviation service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case: *Provided further*, That the Secretary of War shall cause appropriate certificates of qualification to be issued by The Adjutant General of the Army to all officers and enlisted men who shall have been found and reported by aviation examining boards in accordance with the terms of this act to be qualified for the details and ratings for which said officers and enlisted men shall have been examined: *Provided further*, That, except as hereinafter provided in the cases of officers who are now on aviation duty and who shall be rated as junior military aviators as hereinafter authorized, no person shall be detailed for service as an aviation officer in the aviation section until he shall have served creditably as an aviation student for a period to be fixed by the Secretary of War; and no person shall receive the rating of military aviator until he shall have served creditably for at least three years as an aviation officer with the rating of junior military aviator: *Provided further*, That there shall be paid to the widow of any officer or enlisted man who shall die as the result of an aviation accident not the result of his own misconduct, or to any other person designated by him in writing, an amount equal to one year's pay at the rate to which such officer or enlisted man was entitled at the time of the accident resulting in his death, but any payment made in accordance with the terms of this proviso on account of the death of any officer or enlisted man shall be in lieu of and a bar to any payment under the acts of Congress approved May 11, 1908, and March 3, 1909 (35 Stats., pp. 108 and 755), on account of death of said officer or enlisted man.

"Sec. 4. That all laws and parts of laws, so far as they are inconsistent with the terms of this act, be, and they are hereby, repealed.

"Sec. 5. This act shall take effect 30 days after the date of its approval by the President."

Amend the substitute offered by the committee as follows:

Page 5, line 21, strike out the word "it."

Page 5, line 23, insert before the word "craft" the word "air."

Page 7, line 22, after the word "person," insert the words "except in time of war."

Page 10, after the word "provided," line 5, insert the words:

"*Provided*, That 12 enlisted men shall, in the discretion of the officer in command of the aviation section, be instructed in the art of flying, and no enlisted man shall be assigned to duty as an aerial flyer against his will except in time of war."

Page 10, line 9, after the word "*Provided*," insert the word "*further*."

Page 11, line 20, after the word "amount," insert the word "equal."

The subject of military aviation has engaged the attention of this committee and of the House of Representatives for the last three or four years. Last summer the bill H. R. 5304 was introduced, and the committee went into the subject very fully, having then had before it a large number of persons interested in the subject and obtaining from them views and opinions as well as statistics. The result of that investigation is this bill.

The War Department, some time ago, advised the passage of a bill which would have very largely increased the personnel of the Signal Corps. Your committee thought the plan embodied in this bill would be better and at the same time more economical. The committee has not sought to place an aviation service upon the same plane as that of the

first-class war powers of Europe, but has tried to give to this service in this country a position which will enable it to keep abreast with the experiments which are being made in aviation, the committee feeling sure that the last word has not yet been said in that science and that it would be unwise and unnecessary for this country to expend the enormous sums which are being spent in other countries.

Your committee is thoroughly convinced that it would be most unwise to continue the parsimonious policy which the Government has pursued with regard to military aviation. It is expected that this committee will appropriate \$300,000 in the pending Army bill as against \$125,000 appropriated last year for the purchase and upkeep of aeroplanes, and it is thought that that amount, together with the personnel provided in this bill will enable our Army to make the experiments necessary to a thorough knowledge of the art, and to train the number of men who may be needed for service in time of emergency.

The cost of this bill will be as follows: First year, \$258,002; second and third years, \$269,044.50; fourth year, \$279,994.50; which latter figures will show the highest sum which this bill will cost the Government at any time in the future. See itemized statement.

EXHIBIT A.

Annual estimated cost of the personnel of the aviation section of the Signal Corps under H. R. 5304:

In preparing the following estimate the object has been to find the approximate maximum, rather than minimum, cost, and it is thought that the totals given will be higher than what will actually occur when the bill goes into effect. For example, it is probable that a first lieutenant, junior aviator, may be on aviation duty but not actually flying. In this case he would receive the pay of captain, which would be less than his pay as a first lieutenant with 50 per cent added. All the master signal electricians are taken in their third enlistment period, and all other noncommissioned officers and enlisted men in their second enlistment period, and the 50 per cent increase allowed for aviation mechanics has been applied to the highest, and not the lowest, grades.

There are at present 7 first and 14 second lieutenants on aviation duty, and it is fair to assume that the aviation branch will be composed of first and second lieutenants in the ratio of 1 to 2. This will make 20 first and 40 second lieutenants when the total number authorized has been detailed. The estimated cost is given for four years, as the total effect of the bill will not be felt until the fourth year. Inasmuch as the maximum limit of age for detail is 30 years, it is not possible that any officer on aviation duty can have more than two flogies. After the first year, judging from experience of the past, it is thought that of the 60 officers on duty 1 in 4 will be students, or 15 in all. Of these 15, 5 will be first lieutenants and 10 second lieutenants. There will be no military aviators until the fourth year. The assumed composition and cost of the aviation branch for the first year is as follows:

First year.

JUNIOR AVIATORS.

First Lieutenants:	
2 with 2 flogies	\$7,200.00
5 with 1 flogie	16,500.00
Second Lieutenants:	
4 with 1 flogie	11,200.00
10 flat	25,500.00

STUDENTS.

First Lieutenants:	
4 with 2 flogies	12,000.00
9 with 1 flogie	24,750.00
Second Lieutenants:	
12 with 1 flogie	28,050.00
14 flat	29,750.00
	154,970.00

ENLISTED.

4 master signal electricians, plus 50 per cent	5,976.00
8 master signal electricians	7,968.00
8 first-class sergeants, plus 50 per cent	7,056.00
4 first-class sergeants	2,352.00
20 sergeants, plus 50 per cent	14,400.00
4 sergeants	1,920.00
20 corporals, plus 50 per cent	9,720.00
58 corporals	18,792.00
8 cooks	3,168.00
80 first-class privates	22,176.00
41 privates	9,504.00

Total 103,032.00

Commissioned personnel	154,970.00
Enlisted personnel	103,032.00

Total cost, first year 258,002.00

Second and third years.

JUNIOR AVIATORS.

First Lieutenants:	
7 with 2 flogies	\$25,000.00
3 with 1 flogie	9,900.00
Second Lieutenants:	
20 with 1 flogie	56,100.00
15 flat	38,250.00

STUDENTS.

First Lieutenants:	
2 with 2 flogies	6,000.00
3 with 1 flogie	8,250.00
Second Lieutenants:	
5 with 1 flogie	11,687.50
5 flat	10,625.00
Total	166,012.50

Cost of enlisted personnel same as in first year 103,032.00

Total cost of second and third years 269,044.50

In the fourth year the cost will be increased \$10,950, owing to the fact that in the fourth year it is assumed that the total number of 15 military aviators allowed by the bill will have been appointed.

Base pay per annum under the bill.

Junior aviator:	
First lieutenant with 2 flogies	\$3,000.00
First lieutenant with 1 flogie	3,300.00
First lieutenant, flat	3,000.00
Second lieutenant with 1 flogie	2,805.00
Second lieutenant, flat	2,550.00
Aviation students:	
First lieutenant with 2 flogies	3,000.00
First lieutenant with 1 flogie	2,750.00
First lieutenant, flat	2,500.00
Second lieutenant with 1 flogie	2,337.50
Second lieutenant, flat	2,125.00
Enlisted:	
Master signal electrician, third enlistment period, plus 50 per cent	1,494.00
Master signal electrician, third enlistment period	996.00
First-class sergeant, second enlistment period, plus 50 per cent	882.00
First-class sergeant, second enlistment period	588.00
Sergeant, second enlistment period, plus 50 per cent	720.00
Sergeant, second enlistment period	480.00
Corporal, second enlistment period, plus 50 per cent	486.00
Corporal, second enlistment period	324.00
Cook, second enlistment period	396.00
First-class private, second enlistment period	252.00
Private, second enlistment period	216.00

RECAPITULATION.

Total cost of personnel, first year	258,002.00
Total cost personnel, second and third years	269,044.50
Total cost fourth year	279,994.50

It may be interesting to know the amounts which are being annually spent by other countries for their military aviation service, and the figures given below will show what is being spent in other countries. These figures were given to the committee by the Chief of the Signal Corps. (See hearing on bill 5304, p. 267.)

EXHIBIT B.

Estimated on the total expenditures of the different governments for aeronautical work during five years approximates \$100,000,000.

GOVERNMENT EXPENDITURES.

1. Germany	\$28,000,000
2. France	22,000,000
3. Russia	12,000,000
4. Italy	8,000,000
5. Austria	5,000,000
6. England	3,000,000
7. Belgium	2,000,000
8. Japan	1,500,000
9. Chile	700,000
10. Bulgaria	600,000
11. Greece	600,000
12. Spain	550,000
13. Brazil	500,000
14. United States	435,000
15. Denmark	300,000
16. Sweden	250,000
17. China	225,000
18. Roumania	200,000
19. Holland	150,000
20. Serbia	125,000
21. Norway	100,000
22. Turkey	90,000
23. Mexico	80,000
24. Argentina	75,000
25. Montenegro	40,000
26. Cuba	50,000
Total	\$6,570,000

PUBLIC SUBSCRIPTION.

1. Germany	3,500,000
2. France	2,500,000
3. Italy	1,000,000
4. Russia	100,000
Total	7,100,000
Total public subscription	7,100,000
Total Government subscription	\$6,520,000
Grand total	\$3,620,000

APPROPRIATIONS FOR 1913, VARIOUS COUNTRIES.

France	7,400,000
Germany	5,000,000
Russia	5,000,000
England	3,000,000
Japan (approximate)	1,000,000
Italy	2,100,000
Mexico	400,000
United States	125,000

It is hardly necessary in a report of this character to dwell upon the importance of military aviation, nor to point out its importance in modern warfare. That military aviation is destined to play an important and conspicuous part in future wars is certain; and that this country would make a grave mistake if it wholly neglected this branch of the military service is equally certain.

Mr. HAY. If no Member desires to ask any further questions, I will ask for a vote.

The SPEAKER. The question is on the committee amendment as amended.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. HAY, a motion to reconsider the last vote was laid on the table.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I thought we would run until 6 o'clock on the Unanimous Consent Calendar, if any gentleman has any bill that he wants to take up. If not, I will move that the House adjourn.

Mr. MANN. The bills are all put away, anyway.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until Tuesday, May 19, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed in the case of Florence W. Beardsley, widow of George S. Beardsley, deceased, *v. The United States* (H. Doc. No. 985); to the Committee on Claims and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed in the case of Edward W. Whitaker *v. The United States* (H. Doc. No. 986); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the resolution (S. J. Res. 58) authorizing the Secretary of the Navy to loan the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J., reported the same without amendment, accompanied by a report (No. 684), which said bill and report were referred to the House Calendar.

Mr. UNDERHILL, from the Committee on Industrial Arts and Expositions, to which was referred the bill (H. R. 16327) to provide an appropriation for the erection of a building within which to install a Government exhibit at the Panama-Pacific International Exposition, reported the same with amendment, accompanied by a report (No. 686), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (H. R. 11840) for the relief of R. G. Arrington, reported the same with amendment, accompanied by a report (No. 685), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURKE of Wisconsin: A bill (H. R. 16632) authorizing the Secretary of War to donate to the village of Hustisford, in the county of Dodge, and State of Wisconsin, two bronze or brass cannon or fieldpieces with their carriages; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 16633) to increase the efficiency of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. SUTHERLAND: A bill (H. R. 16634) to provide for the erection of a public building at Williamson, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. KENT: A bill (H. R. 16635) authorizing the establishment of a free public school upon the Fort Barry (Cal.) Military Reservation; to the Committee on Military Affairs.

By Mr. FERRIS: A bill (H. R. 16636) to provide for the disposition of timber and timbered lands; to the Committee on the Public Lands.

By Mr. ADAMSON: A bill (H. R. 16637) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service; to the Committee on Interstate and Foreign Commerce.

By Mr. GREGG: A bill (H. R. 16638) to provide for the purchase of ground and the erection of a public building thereon for a marine hospital, to be used also in connection with Immigration Service, in the city of Galveston, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. GITTINS: A bill (H. R. 16640) to authorize the construction of a bridge across the Niagara River in the town of Lewiston, in the county of Niagara and State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. DUPRE: A bill (H. R. 16641) providing for an increase of salary for the United States district attorney for the eastern district of Louisiana; to the Committee on the Judiciary.

By Mr. BAKER: A bill (H. R. 16642) authorizing the Secretary of the Treasury to disregard section 33 of the public-buildings act of March 4, 1913, as to site at Vineland, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 16643) to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of cotton for future delivery, and for other purposes; to the Committee on Agriculture.

By Mr. MURRAY of Oklahoma: A resolution (H. Res. 519) referring the bills (H. R. 16618 and H. R. 16619) for the relief of the Iowa Indians of Oklahoma to the Court of Claims for a finding of fact and conclusions of law; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 16644) granting an increase of pension to George W. Saunders; to the Committee on Invalid Pensions.

By Mr. CHURCH: A bill (H. R. 16645) for the relief of Osbia H. Wiard; to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 16646) granting a pension to Daniel Geyer; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 16647) granting an increase of pension to Willis J. Gambel; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 16648) granting a pension to Nellie P. Swetland; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 16649) granting an increase of pension to Isaiah H. McDonald; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 16650) for the relief of Thomas P. Darr; to the Committee on Claims.

Also, a bill (H. R. 16651) for the relief of the heirs of Joseph Tucker; to the Committee on War Claims.

By Mr. HELVERING: A bill (H. R. 16652) granting an increase of pension to Nathan C. Calhoun; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 16653) granting a pension to Francis E. Hayes; to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 16654) for the relief of Isaac Robertson; to the Committee on War Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 16655) granting a pension to Andrew Hanson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16656) granting a pension to Malcolm J. McNeill; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 16657) granting a pension to Matilda M. Howard; to the Committee on Invalid Pensions.

By Mr. MURRAY of Oklahoma: A bill (H. R. 16658) to correct the military record of James Ruff Utley; to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 16659) granting an increase of pension to Milton A. Beahm; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 16660) granting an increase of pension to John J. Lee; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 16661) granting an increase of pension to Martin L. Pemberton; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 16662) granting an increase of pension to John R. Lucas; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 16663) granting a pension to Fred Craig; to the Committee on Pensions.

Also, a bill (H. R. 16664) granting an increase of pension to Mary J. Cooper; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 16665) for the relief of the heirs of Henry Sears; to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 16666) granting a pension to Michael Friel; to the Committee on Pensions.

By Mr. UNDERHILL: A bill (H. R. 16667) granting an increase of pension to Charles W. Saxbury; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 16668) granting an increase of pension to Joseph M. Adair; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 16669) granting a pension to Ethel Culver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16670) granting an increase of pension to James D. Carr; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 16671) granting an increase of pension to Birney Dutton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Confederate Southern Memorial Association, relative to locating and marking graves of Confederates who died as prisoners of war in the Northern States; to the Committee on Military Affairs.

Also (by request), resolutions from certain citizens of Palmyra, N. Y.; Chicago, Ill.; Deep River, Iowa; Fruitland, Idaho; Malcom, Iowa; Yates City, Ill.; Sanborn, Iowa; Bayfield, Colo.; Lompoc, Cal.; Cleveland, N. C.; Topeka, Kans.; Denver, Colo.; Fairfield, Iowa; Minneapolis, Minn.; Springfield, Ill.; Wray, Colo.; Dutch Neck, N. J.; New Lisbon, Wis.; Paterson, N. J.; Kasota, Minn.; Yuma, Colo.; Patterson, N. Y.; Carrollton, Ill.; Lakin, Kans.; Dodge City, Kans.; Butler, Mo.; Bethany, Ill.; Byron, N. Y.; Dayton, Ohio; Duncanville, Ill.; Orleans, Ill.; Port Byron, N. Y.; St. Joseph, Mo.; Bennington, Kans.; Santa Ana, Cal.; Longmont, Colo.; and Sterling, Kans., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. ADAMSON: Petitions of J. I. Fletcher, J. B. Huff, and A. C. Chancellor, of Columbus, Ga., and sundry citizens of Mount Zion, Ga., favoring national prohibition; to the Committee on the Judiciary.

By Mr. AINEY: Petition of 407 citizens of Thompson, the Woman's Christian Temperance Union of Gravity, the Woman's Christian Temperance Union of Falls, 48 voters of Canton, and 31 voters of Damascus, all in the State of Pennsylvania, for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petitions of sundry citizens of Nettleton, Fleming, Mirabile, Turney, Kingston, Polo, Lathrop, and other towns of the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Union Hardware Co. and 9 other merchants of Ashland, Ohio, favoring the passage of House bill 5208, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of G. A. Garver and 6 other citizens of Strasburg, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. AVIS: Resolutions of George W. Crabbe and others, trustees of the Anti-Saloon League of State of West Virginia, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY: Petition of sundry citizens of Johnstown, Pa., favoring passage of national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of 665 citizens of the second congressional district, New Jersey, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Burlington and Marlton, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BEAKES: Petitions of the Farmers' Institute of Lenawee County; the Free Methodist Church of Adrian; the Woman's Congress of Adrian; the Presbyterian Sunday School of Plymouth; the Methodist Episcopal Church of Clayton; the Free Methodist Church of Ypsilanti; the Free Baptist Sunday School of Temperance; Ladies' Aid Society of the Presbyterian Church of Clayton; the Congregational Church of Ypsilanti; and the Methodist Episcopal Church of Ypsilanti, all of the second district of Michigan, in favor of national prohibition; to the Committee on the Judiciary.

Also, petitions of 90 voters of Spring Arbor, Mich., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BELL of California: Petition of the common council of Riverside, Cal., favoring the Hamill bill, relative to retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. BURGESS: Petition of sundry citizens of Columbus, Colorado County, and Victoria, Victoria County, Tex., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of South Dakota: Petition of 100 citizens of Gettysburg, S. Dak., and sundry citizens of White, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Petition of 20 citizens of Fox Lake, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petitions of sundry citizens of the State of Florida, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petition of various residents of Delavan, Wis., favoring nation-wide prohibition; to the Committee on the Judiciary.

Also, petitions of residents of Racine, Kenosha, Caledonia, Burlington, and Franksville, all in the State of Wisconsin, protesting against nation-wide prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Protests of Lyman Allan and 75 other citizens of St. Clair County, Mich., against the Hobson resolution for national prohibition; to the Committee on the Judiciary.

Also, resolution of the village council of the village of Highland Park, Mich., in support of the Hobson resolution for national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petition by 82 citizens of Napa County, Cal., protesting against the Hobson national constitutional prohibition resolution now pending before Congress; to the Committee on the Judiciary.

Also, petition by 1433 citizens of Sacramento, Cal., protesting against the Hobson national constitutional prohibition resolution; to the Committee on the Judiciary.

Also, petition by 6 citizens of Crockett, Cal., protesting against the Hobson national constitutional prohibition resolution now pending before Congress; to the Committee on the Judiciary.

Also, petition by 11 citizens of Yountville, Benicia, Sacramento, and Suisun City, Cal., protesting against the Hobson national constitutional prohibition resolution; to the Committee on the Judiciary.

Also, petition by 24 citizens of Port Costa, Cal., protesting against the Hobson national constitutional prohibition resolution now pending before Congress; to the Committee on the Judiciary.

Also, resolution by the Civic Center Club, of Fairfield, Solano County, Cal., against war with Mexico; to the Committee on Foreign Affairs.

By Mr. DALE: Petitions of Harry Miller and others, citizens of New York City, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the American Peace and Arbitration League, commending the President's policy toward Mexico; to the Committee on Foreign Affairs.

By Mr. DAVENPORT: Petition of 40 citizens of Nowata, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of the Redding (Conn.) Equal Franchise League, favoring passage of the Bristow-Mondell resolution enfranchising women; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Hillsboro, Kans., favoring House bill 12928, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Kansas, favoring Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Kansas, favoring House bill 2865; to the Committee on Invalid Pensions.

By Mr. GILMORE: Memorial of the directors of the port of Boston, Mass., approving recommendation that a dredge be provided by the Government at the port of Boston; to the Committee on Interstate and Foreign Commerce.

Also, petition of 211 citizens of Brockton and 14 citizens of Randolph, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GREEN of Iowa: Petition of certain citizens of Guthrie County, Iowa, in support of an amendment to the Constitution of the United States providing for national prohibition of the liquor traffic; to the Committee on the Judiciary.

Also, petition of various union miners of Buxton, Iowa, approving bill by Hon. J. W. BRYAN, of Washington, for relief of Colorado strike; to the Committee on the Judiciary.

Also, petition of sundry citizens of Audubon County, Iowa, protesting against the passage of House bill 9674, preventing labor on buildings on the Sabbath day; to the Committee on the District of Columbia.

By Mr. HAY: Petitions of sundry citizens of Shenandoah, Va., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. HELVERING: Petitions of 250 citizens of Summerfield and of 120 citizens of Scandia, both in the State of Kansas, favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. HINDS: Petitions of 47 citizens of Portland, 106 citizens of Cornish, Biddeford and Saco Sunday School Associations, and 40 citizens of South Portland, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

Mr. IGOE: Petitions and letters from the A. Graf Distilling Co.; the Bowman-Blackman Machine Co.; the Lambert Deacon-Hull Printing Co.; Henry J. Jacobsmeier; the Steinwender-Stoffregen Coffee Co.; the Robert Jacob Engine & Machine Co.; the John B. Schmidt Sign Co.; the Boeckler Lumber Co.; the F. E. Schoenberg Manufacturing Co.; the Engel Paper Box Specialty Co.; the N. O. Nelson Manufacturing Co.; the National Ammonia Co.; Cigar Makers' Union No. 44, representing over 900 men and women, William Schillig, president, Earl H. Hellman, secretary; the Catholic Union of Missouri, composed of 15,000 members, M. Deck, president; the Schurk Iron Works employees, Joseph G. Schulett, Hubert H. Frank, Henry B. Schurk, F. G. Brandis, William Kauffman, William Erdmann, Fred L. Evers, Otto W. Fielder, H. L. Goff, H. Miller, H. R. Gilbert, Charles H. Frochlich, Otto Wanek, W. L. Massa, Al Sterling, John Vojsek, A. Goldenberger, Lukas Provides, Lomis Post, Oscar Hepe, Hy Horne, Frank Doepke, R. Hasemann, Joseph Urban, Raymond Burr, Charles Laup, Ed. Heffernann, Peter Horn, F. Kreiger, William Eberle, Louis Numan, A. Hammert, George A. Collet, Joseph A. Collet, Eugene O. Collet, Edward Collet, Harry A. Collet, and Nicholas King, all of St. Louis, Mo., protesting against the enactment of pending prohibition resolutions and all similar measures; to the Committee on the Judiciary.

By Mr. KENNEDY of Iowa: Petitions of various voters of Burlington and three citizens of Keokuk, Iowa, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of the New York Store Mercantile Co., of Calro, Ill., favoring passage of House bill 15986, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. LA FOLLETTE: Petitions of 332 and more citizens of Spokane, Wash., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of G. A. Van Rifer and sundry citizens of Cheilan, Wash., protesting against passage of Sunday observance bill; to the Committee on the District of Columbia.

Also, petition of various voters of the third congressional district of Washington, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Cigar Makers' Union No. 42, of Hartford, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Waiters and Cooks' Union of Hartford, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of M. Cronin and 24 other citizens of Connecticut, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. McCLELLAN: Protests of J. C. Borst, F. L. Straub, Bates & Vrooman, Smith & Teeck, Ward P. Crosswell, Luther Toland, and John R. McAllister, all of Middleburg, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the twenty-seventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Bernard Katz and J. L. Baker, of Middleburg; J. A. Costello & Co., of Rondout; and sundry citizens of Hudson and Sullivan Counties, all in the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petition of sundry citizens of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAHER: Petition of the First National Bank of Brooklyn, N. Y., protesting against the passage of the Clayton antitrust bill, H. R. 15657; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of the Philadelphia Board of Trade, protesting against House bill 15657, the antitrust bill; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petitions of sundry citizens of Willow, Okla., and Fost (Okla.) School House, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PALMER: Memorial of the Lehigh County (Pa.) Socialist Party, relative to conditions in Colorado coal mines; to the Committee on the Judiciary.

Also, memorial of a mass meeting in Philadelphia and Oxford, Pa., urging passage of Bristow-Mondell resolution enfranchising women; to the Committee on the Judiciary.

Also, petition of sundry citizens of South Bethlehem, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of sundry citizens of Bethlehem, Portland, and Chestnut Hill, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition of the Chamber of Commerce of San Francisco, Cal., favoring passage of Senate bill 3338, relative to extending ocean-mail-steamship act; to the Committee on the Post Office and Post Roads.

Also, petition of the Western Association of Retail Cigar Dealers, of Seattle, Wash., favoring passage of House bill 13305, Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY of Connecticut: Petition of the Redding (Conn.) Equal Franchise League, favoring passage of resolution enfranchising women; to the Committee on the Judiciary.

By Mr. ROBERTS of Massachusetts: Petition of 119 residents of Somerville, Mass., favoring the adoption of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

Also, petitions of citizens of Massachusetts, remonstrating against the adoption of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

Also, petition of citizens of Massachusetts, protesting against the adoption of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

By Mr. RUBEY: Petition of sundry citizens of Missouri, protesting against the passage of House bill 7826, entitled "A bill to provide for the closing of barber shops in the District of Columbia on Sunday"; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Missouri, favoring the passage of bill to amend the postal and civil-service laws (H. R. 12928); to the Committee on the Post Office and Post Roads.

By Mr. SLAYDEN: Petition of sundry citizens of the fourteenth congressional district of Texas, against national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Protests of 29 citizens of Kalamazoo, Mich., against prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Minnesota: Petitions from and resolutions adopted by organizations of Minnesota aggregating 4,300 members, protesting against adoption of proposed constitutional amendment prohibiting manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

Also, petitions of the Sixth Ward Local Club and the International Association of Machinists, of Minneapolis, Minn., protesting against conditions in the coal fields of Colorado; to the Committee on the Judiciary.

By Mr. SPARKMAN: Memorial of the Board of Trade of Tampa, Fla., favoring appropriation for employment of commercial attaché to promote foreign trade, etc.; to the Committee on Appropriations.

Also, petition of the Ruskin (Fla.) Local of the Socialist Party, relative to conditions in the coal fields of Colorado; to the Committee on the Judiciary.

By Mr. STEENERSON: Petitions of Christ Eagan and 20 others of East Grand Forks, Minn., and J. A. Quade and others of Vergas, Minn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Frank L. Erlongher and 26 others, of Frazee, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of Nebraska: Petitions of 7,593 citizens of the third congressional district of Nebraska, against national prohibition; to the Committee on the Judiciary.

By Mr. TALBOTT of Maryland (by request): Petition of the Christian Endeavor Society of Hamilton (Md.) Presbyterian Church and various other churches and Sunday schools of the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Baltimore, Md., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. TAVENNER: Petition of L. M. Annan and Vander Vennets Hardware Co., of Moline, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: Resolution from the convention association and citizens of Denver, Colo., protesting against the passage of nation-wide prohibition legislation; to the Committee on the Judiciary.

Also, petition of sundry citizens of Denver and Kiowa Counties and the Methodist and the First Baptist Churches of Longmont, Colo., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Retail Association of the Denver Chamber of Commerce, protesting against the enlargement of the present Parcel Post System; to the Committee on the Post Office and Post Roads.

By Mr. TREADWAY: Petition of sundry citizens of Lee, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TUTTLE: Petition of Elizabeth Petoff Daker and voters of the fifth congressional district of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Plainfield and Dover, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petitions of the Central Federated Union of New York City and the International Union of the United Brewery Workmen of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Philadelphia (Pa.) Board of Trade, protesting against the passage of House bill 15657, the antitrust bill; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of 1,007 citizens of the thirtieth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WEAVER: Two petitions of sundry citizens of Murray County, Okla., relative to strike conditions in Colorado; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petitions of William F. Worn & Co. and Lewis Reitter, of New York City, protesting against national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, May 19, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee the spiritual equipment for life's great service. Unless Thy spirit go up with us, send us not up hence. For who is sufficient for these things? When we measure the length and breadth of human responsibility, we would despair if only intellectual power could be applied to the tasks that press upon us. We would be altogether unfit if we possessed only material wealth in a world like this. For out of the heart are the issues of life. We pray that Thy grace may come upon our hearts, fitting us in every thought and purpose and desire to do Thy will. Through the consecration of our lives by Thy grace may we accomplish much for the peace of the world and for the happiness of mankind. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FRENCH SPOILATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The vessel brig *Little Sam*, Joseph White, master (H. Doc. No. 987); and

The vessel ship *Harc*, Nathan Haley, master (H. Doc. No. 988).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 65. An act to amend an act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof," approved April 12, 1910;

S. 1243. An act directing the issuance of patent to John Russell;

S. 5066. An act to increase the authorization for a public building at Osage City, Kans.;

S. 5552. An act to amend an act entitled "An act for the relief of Gordon W. Nelson," approved May 9, 1914; and

S. J. Res. 139. Joint resolution to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement.

The message also announced that the House had passed the bill (S. 4096) to amend the act authorizing the National Acad-

emy of Sciences to receive and hold trust funds for the promotion of science, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 4632) for the relief of settlers on the Fort Berthold Indian Reservation, in the State of North Dakota, and the Cheyenne River and Standing Rock Indian Reservations, in the States of South Dakota and North Dakota, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House disagrees to the amendment of the Senate to the amendment of the House No. 3 to the bill (S. 4377) to provide for the construction of four revenue cutters, and insists upon its amendment to the title; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ADAMSON, Mr. SIMS, and Mr. STEVENS of Minnesota managers at the conference on the part of the House.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5304. An act to increase the efficiency of the aviation service of the Army, and for other purposes;

H. R. 9042. An act to permit sales by the supply departments of the Army to certain military schools and colleges;

H. R. 9899. An act to authorize the laying out and opening of public roads on the Winnebago, Omaha, Ponca, and Santee Sioux Indian Reservations in Nebraska;

H. R. 10835. An act to authorize the Secretary of the Treasury to consolidate sundry funds from which unpaid Indian annuities or shares in the tribal trust funds are or may hereafter be due;

H. R. 14189. An act to authorize the construction of a bridge across the Missouri River near Kansas City;

H. R. 14377. An act to amend section 4472 of the Revised Statutes;

H. R. 15190. An act to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act of Congress approved March 3, 1913; and

H. J. Res. 249. Joint resolution for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission.

COAL LANDS IN ALASKA.

Mr. WALSH. Mr. President, I send to the desk a communication from the Secretary of the Interior, with accompanying papers, which I ask may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, May 15, 1914.

To the Members of Congress:

What am I to say to this man? If the Alaskan coal-leasing bill becomes law this session the answer will be easy.

FRANKLIN K. LANE.

SAN FRANCISCO, April 28, 1914.

Hon. FRANKLIN K. LANE,
Secretary of the Interior, Washington, D. C.

DEAR SIR: I am shipping a dredge into Alaska to work a placer-mining claim owned by me on Cache Creek, in the Yetna mining district in southwestern Alaska. In the vicinity of my mining claim there are several veins or outcroppings of coal. I would like to get permission from the Government to extract a sufficient amount of this coal to burn in the operation of the dredge for mining purposes. These veins or outcroppings of coal are along the Short Creek, a tributary to Cache Creek, and this coal is suitable for use for mining purposes but is not a marketable coal.

It is not my purpose to extract any of this coal for any commercial purposes or for sale, but simply for the purpose of burning in the operation of my dredger.

There is also some coal of the same character on the Yetna River, and I would like permission to extract sufficient amount of this coal to burn in the stern-wheel river boat for transportation of my dredger to MacDougal Station, near my mining property.

I do not want to violate any of the rules and regulations of the Interior Department, or any law in relation to the extraction of coal from coal lands in Alaska, and for this reason I would like to have a permit to use the coal mentioned for the purpose stated.

If it is necessary to fill out any blanks or forms used by the Government I would be pleased to have you forward these blanks to me at Susitna Station, Alaska.

Yours, truly,

J. C. MURRAY.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, May 15, 1914.

RELATIVE TO COAL LANDS IN ALASKA.

Mr. J. C. MURRAY,
Claus Spreckels Building, San Francisco, Cal.

MY DEAR SIR: In reply to your letter of April 28, 1914, you are advised that on November 12, 1906, by order of the department all public lands in the District of Alaska in which workable coal was known to occur were withdrawn from entry, filing, or selection under the coal-land law. The circular of May 16, 1907, permitted parties who